



This is a digital copy of a book that was preserved for generations on library shelves before it was carefully scanned by Google as part of a project to make the world's books discoverable online.

It has survived long enough for the copyright to expire and the book to enter the public domain. A public domain book is one that was never subject to copyright or whose legal copyright term has expired. Whether a book is in the public domain may vary country to country. Public domain books are our gateways to the past, representing a wealth of history, culture and knowledge that's often difficult to discover.

Marks, notations and other marginalia present in the original volume will appear in this file - a reminder of this book's long journey from the publisher to a library and finally to you.

### Usage guidelines

Google is proud to partner with libraries to digitize public domain materials and make them widely accessible. Public domain books belong to the public and we are merely their custodians. Nevertheless, this work is expensive, so in order to keep providing this resource, we have taken steps to prevent abuse by commercial parties, including placing technical restrictions on automated querying.

We also ask that you:

- + *Make non-commercial use of the files* We designed Google Book Search for use by individuals, and we request that you use these files for personal, non-commercial purposes.
- + *Refrain from automated querying* Do not send automated queries of any sort to Google's system: If you are conducting research on machine translation, optical character recognition or other areas where access to a large amount of text is helpful, please contact us. We encourage the use of public domain materials for these purposes and may be able to help.
- + *Maintain attribution* The Google "watermark" you see on each file is essential for informing people about this project and helping them find additional materials through Google Book Search. Please do not remove it.
- + *Keep it legal* Whatever your use, remember that you are responsible for ensuring that what you are doing is legal. Do not assume that just because we believe a book is in the public domain for users in the United States, that the work is also in the public domain for users in other countries. Whether a book is still in copyright varies from country to country, and we can't offer guidance on whether any specific use of any specific book is allowed. Please do not assume that a book's appearance in Google Book Search means it can be used in any manner anywhere in the world. Copyright infringement liability can be quite severe.

### About Google Book Search

Google's mission is to organize the world's information and to make it universally accessible and useful. Google Book Search helps readers discover the world's books while helping authors and publishers reach new audiences. You can search through the full text of this book on the web at <http://books.google.com/>













Acts of the Forty-Fifth General Assembly  
TCX  
C  
ACTS OF A LOCAL NATURE,

PASSED BY THE

FORTY-FIFTH GENERAL ASSEMBLY

OF THE

STATE OF OHIO,

BEGUN AND HELD IN THE CITY OF COLUMBUS,

STATE OF OHIO  
DECEMBER 7, 1846.

AND

IN THE FORTY-FIFTH YEAR OF SAID STATE.

VOL. XLV.

---

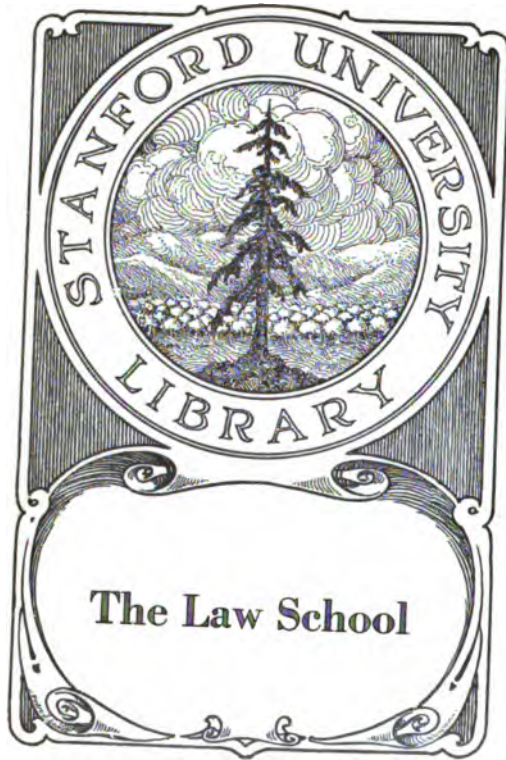
COLUMBUS:

C. SCOTT'S STEAM PRESS.

1847.

L22023

APR 12 1943



## ACTS OF A LOCAL NATURE.

### AN ACT

To lay out and establish a Free Turnpike Road from the town of Jackson, in Jackson county, to the town of Portsmouth, in Scioto county.

SEC. 1. *Be it enacted by the General Assembly of the State of Ohio,* That Daniel Hoffman, John Jacobs, and Aaron Waterhouse, of Jackson county, and William Salters, Samuel Crull, and William Noland, of Scioto county, be and they hereby are appointed commissioners to lay out and establish a free turnpike road from Jackson to Portsmouth, in said county, on (or near as may be thought practicable) the present traveled road from said Jackson, in Jackson county, to Portsmouth, in said Scioto county; which shall be constructed, repaired, and preserved in the manner pointed out, and by the provisions of an act entitled "an act to provide for the laying out and establishing free turnpike roads," passed March twelfth, one thousand eight hundred and forty-five, and the acts amendatory thereto: Provided, that if any part of said road hereby established, shall be located within a less distance than four miles of any free turnpike heretofore established, then, and in that case, the taxes levied on all property, real or personal, for road purposes, situated between such parts of said free turnpike roads as may be less than four miles apart, shall be equally divided between said roads, and the auditor and commissioners of each of said counties are hereby authorized to make such regulations for the equal division of said road taxes, and for the appropriation of labor to be performed in payment of such taxes, as provided in section 5 of the said act of March 12, 1845, as may be necessary and proper to carry into effect the provisions of this act.

SEC. 2. That said commissioners, and their successors in office, shall be a corporation by the name and style of the Jackson and Portsmouth turnpike road company.

WILLIAM P. CUTLER,  
*Speaker of the House of Representatives.*  
EDSON B. OLDS,  
*Speaker of the Senate.*

January 6, 1847.

## AN ACT

To amend the act entitled "an act to incorporate the Portsmouth Drydock and Steamboat Basin Company," passed March 9th, 1839, and all acts amendatory thereto.

SEC. 1. *Be it enacted by the General Assembly of the State of Ohio,* That said Portsmouth Drydock and Steamboat-basin Company shall have power, at any time before the first day of January, one thousand eight hundred and forty eight, to construct and build a bridge across the Scioto river, pursuant to the provisions on that subject in the original act to incorporate said company, and said acts amendatory thereto; and, on the completion of said bridge within the time aforesaid, said company shall be invested with all the rights and privileges heretofore granted in relation to said bridge, and the same shall not be impaired by the previous noncompliance with any of the provisions of said acts.

SEC. 2. That for the purpose of enabling said company to pay off their existing debts, and to complete the improvements on their lands, the directors may increase the number of shares of capital stock by two thousand shares in addition to the capital stock authorized by the act incorporating said company: Provided, that nothing in this act contained shall be construed to revive or restore to said company any powers, rights, privileges, or immunities which may have been heretofore forfeited, from any cause whatever, except the power to construct, hold, and manage said bridge, as granted by the acts aforesaid.

WILLIAM P. CUTLER,  
*Speaker of the House of Representatives.*  
EDSON B. OLDS,  
*Speaker of the Senate.*

January 11, 1847.

## AN ACT

To authorize the sale of Section Sixteen, in Antrim township, Wyandott county, Ohio.

SEC. 1. *Be it enacted by the General Assembly of the State of Ohio,* That school section sixteen, in Antrim township, Wyandott county, be and the same is hereby authorized to be sold, provided no part thereof shall be sold for less than the appraised value thereof; and such sale shall, in all respects, be conducted and governed by the provisions of an act entitled "an act to regulate the sale of ministerial and school lands, and the surrender of permanent leases thereto," passed February second, one thousand eight hundred and forty-three, and in accordance with an act entitled "an act to fix the minimum price of the sales of school lands," passed March fourth, one thousand eight hundred and forty-five.

WILLIAM P. CUTLER,  
*Speaker of the House of Representatives.*  
EDSON B. OLDS,  
*Speaker of the Senate.*

January 11, 1847.

## AN ACT

To authorize the sale of a part of school section sixteen, in Colerain township, Belmont county.

**SEC. 1.** *Be it enacted by the General Assembly of the State of Ohio,* That that part of school section sixteen, township six, range three, in said Colerain township, Belmont county, now held, by permanent lease, by John Kinsey, and occupied by him, and containing two hundred and five acres, more or less, be and the same is hereby authorized to be sold : provided that it shall not sell for less than the appraised value thereof ; and such sale shall, in all respects, be governed by the provisions of an act entitled " an act to regulate the sale of ministerial and school lands, and the surrender of permanent leases thereto," passed February second, one thousand eight hundred and forty-three, and in accordance with an act to fix the minimum price of the sale of school lands, passed March fourth, one thousand eight hundred and forty-five.

WILLIAM P. CUTLER,

*Speaker of the House of Representatives.*

EDSON B. OLDS,

*Speaker of the Senate.*

January 11. 1847.

## AN ACT

To authorize the commissioners of Sandusky county to levy a tax on certain parts of said county, for the purpose of improving the navigation of the Sandusky river, and the head of the Sandusky bay.

**SEC. 1.** *Be it enacted by the General Assembly of the State of Ohio,* That, for the purpose of improving the navigation at the head of the Sandusky bay, and of the Sandusky river, north of the corporate limits of the town of Lower Sandusky, there shall be assessed and levied, by the commissioners of Sandusky county, in each of the years one thousand eight hundred and forty-seven and one thousand eight hundred and forty-eight, at their June sessions in said years respectively, a tax upon all the real estate and personal property subject to taxation, in the following named townships, as the same has been or shall be appraised and returned on the grand levy of the state, as follows, viz : Upon all such property within the reservation of two miles square, at the lower rapids of the Sandusky river, five mills on the dollar of such valuation ; upon all such property within the townships of Sandusky and Ballville, not included in said reservation, three mills on the dollar of such valuation ; upon all such property within the townships of Jackson and Washington, two mills on the dollar of such valuation ; and upon all such property within the townships of Scott, Madison and Rice, and the west half of the townships of Riley and Green Creek, one mill on the dollar of such valuation : and said tax shall be collected in the same manner, and at the same time, that state and county taxes are collected ; and the assessors of Sandusky and Ballville townships, for the years one thousand eight hundred and forty-seven and one thousand eight

hundred and forty-eight, shall appraise and return the taxable personal property within said reservation, separately from that of the balance of said Sandusky and Ballville townships.

SEC. 2. That Riverius Bidwell, James Justice, Ralph P. Buckland, James K. Glenn and John R. Pease, are hereby appointed a board of commissioners to direct and superintend the expenditure of all moneys collected by virtue of this act; who shall, before entering upon their duties under said appointment, respectively enter into bonds to the state of Ohio, in the penal sum of five hundred dollars each, with good and sufficient security to the acceptance of the auditor of Sandusky county, conditioned for the faithful performance of their duties under said appointment; and in case any of the above named persons shall refuse or neglect to give bond as aforesaid, within thirty days after the passage of this act, and in case of a vacancy in said board from any other cause, it shall be the duty of the commissioners of said county to fill all such vacancies; and said board shall choose one of their number president, and another secretary thereof.

SEC. 3. That said board of commissioners, or a majority of them, shall have power to make all necessary contracts for the improvement of the navigation at the head of the Sandusky bay, and of the Sandusky river, north of the corporate limits of the town of Lower Sandusky, by deepening or otherwise improving the channel thereof, where necessary; and said board of commissioners are hereby authorized and empowered to establish and construct a towpath on either side of said river, for the use of the public; and in case more money shall be collected by virtue of this act than shall be necessary for improving the channel at the head of said bay, and of the Sandusky river, as aforesaid, then said board may expend the balance in making a towpath along the banks of said river, on either side thereof, or in otherwise improving the navigation of said river, as they shall deem most expedient; and may draw orders upon the treasurer of said county, which shall be signed by the president and secretary of said board, for the payment of all work done and expenses incurred by virtue of this act, as the work progresses; and said treasurer shall pay said orders as fast as money shall be collected under this act, and in the order of their presentation: Provided, said commissioners shall not appropriate any money, collected by virtue of this act, to the payment of themselves for work done or services rendered, as such commissioners.

SEC. 4. That the treasurer of said county shall not pay out any part of the money collected by virtue of this act, except on the order of the board of commissioners, signed by the president and secretary thereof; and the secretary shall keep an accurate account, in a book to be kept by him for that purpose, of all such orders, and also of all contracts and orders made by said board; and said board shall render an account of their doings, in the premises, to the commissioners of said county, at their June session, in the year one thousand eight hundred and forty-eight, and annually thereafter, until all the taxes assessed and levied by virtue of this act shall have been collected and expended.

SEC. 5. That if said board shall find that it will not require the full amount of the tax provided for by this act to complete said improvements, they shall notify the commissioners of said county, at their June session, in the year one thousand eight hundred and forty-eight, of the amount that



will be necessary for that purpose, and said commissioners shall make a proportionate reduction in the assessment and levy for the year eighteen hundred and forty-eight, so as to assess and levy no more tax than said board shall deem necessary to complete said improvements.

WILLIAM P. CUTLER,  
*Speaker of the House of Representatives.*  
 EDSON B. OLDS,  
*Speaker of the Senate.*

January 14, 1847.

---

AN ACT

To amend the "act to incorporate the Willoughby University of Lake Erie," passed March 3, 1834.

SEC. 1. *Be it enacted by the General Assembly of the State of Ohio,* That the trustees of the Willoughby University of Lake Erie be authorized to transfer the medical department of said university from Willoughby, and to establish the same at the city of Columbus; that said department be known and designated by the title of the Willoughby Medical College at Columbus, and be under the exclusive control of the trustees hereinbefore provided for.

SEC. 2. That as soon as the said department shall have been ordered to be transferred and established at Columbus, as aforesaid, the following persons, to wit: William S. Sullivan, Robert Neil, Samuel Medary, Joseph R. Swan, John W. Andrews, Noah H. Swayne, William Armstrong, A. P. Stone, S. D. Preston, C. F. Schenck, William Dennison, jr., A. F. Perry, Joseph Sullivan, John Field, and Charles H. Wing, and their successors, shall act as trustees of the same, and have all and singular the powers and privileges, and be subject to all and singular the duties and liabilities of the trustees and their successors named in the act to which this is an amendment, and be governed in all things by the provisions of that act, except in so far as the same are hereby altered or amended: Provided, however, that the name and style by which the said degrees shall be conferred, and the certificates of learning given, shall be the "President and Faculty of the Willoughby Medical College at Columbus": provided, also, that no change shall be made in the members of the present faculty of said department, without the consent first obtained of the board of trustees of the university aforesaid.

SEC. 3. That the legislature have the same power, under the same restriction provided by section nine of the act to which this is an amendment.

WILLIAM P. CUTLER,  
*Speaker of the House of Representatives.*  
 EDSON B. OLDS,  
*Speaker of the Senate.*

January 14, 1847.

## AN ACT

To amend an act entitled "an act to lay out and establish a free turnpike road, from the town of Perrysburg to the north line of Wood county," passed January 29, 1846.

SEC. 1. *Be it enacted by the General Assembly of the State of Ohio,* That so much of the Maumee and Western Reserve road tracts, and the Maumee river tracts below tract seventy-one, as lie within two miles of said road, be and the same are hereby exempted from taxation for the construction of said road.

SEC. 2. That so much of the aforesaid act as is inconsistent with the provisions of this act, be and the same is hereby repealed.

SEC. 3. Before this act shall be held or construed to be in force, the commissioners named in the act to which this is an amendment shall, in writing, accept of the provisions of this act, which written acceptance shall be filed in the office of the auditor of Wood county, and be by him recorded, in some book in his office in which a record of roads is kept; and this act shall be in force and take effect from and after the date of such acceptance.

WILLIAM P. CUTLER,  
*Speaker of the House of Representatives.*  
EDSON B. OLDS,  
*Speaker of the Senate.*

January 14, 1847.

## AN ACT

To authorize the sale of school section sixteen, in township seven, range four, Belmont county.

SEC. 1. *Be it enacted by the General Assembly of the State of Ohio,* That school section number sixteen, in township seven, range four, Belmont county, be and the same is hereby authorized to be sold; and such sale shall in all respects be governed by the provisions of an act entitled "an act to regulate the sale of ministerial and school lands, and the surrender of permanent leases thereto," passed February second, one thousand eight hundred and forty-three, and the act entitled "an act to fix the minimum price of the sale of school lands," passed March fourth, one thousand eight hundred and forty-five.

WILLIAM P. CUTLER,  
*Speaker of the House of Representatives.*  
EDSON B. OLDS,  
*Speaker of the Senate.*

January 14, 1847.

## AN ACT

To lay out and establish a free turnpike road from Piqua, Miami county, to Beamsville, in Darke county.

SEC. 1. *Be it enacted by the General Assembly of the State of Ohio,* That Isaac Rudy and Thomas Weaver, of the county of Darke, and Robert Young, of the county of Miami, be and they are hereby appointed commissioners, to lay out and establish a free turnpike road, beginning in the town of Piqua, Miami county, thence, the nearest and most practicable route, to Beamsville, Darke county, which shall be constructed, repaired and preserved, in the manner pointed out, and according to the provisions of the act passed March twelfth, one thousand eight hundred and forty-five, and the acts amendatory thereto, except in so far as the same may be modified or changed by the provisions of this act.

SEC. 2. The said commissioners and their successors shall be a corporation by the name and style of the Piqua and Beamsville Turnpike Road Company; provided that the taxes levied for road purposes, on all property within one mile only of said road, on each side thereof, shall be applied to the construction and repair of the same.

SEC. 3. That the act to lay out and establish a free turnpike road from Piqua, Miami county, to Beamsville, in Darke county, passed January thirty first, one thousand eight hundred and forty-six, be and the same is hereby repealed.

SEC. 4. That this act shall be in force from and after the first day of May, one thousand eight hundred and forty-seven.

WILLIAM P. CUTLER,

*Speaker of the House of Representatives.*

EDSON B. OLDS,

*Speaker of the Senate.*

January 14, 1847.

## AN ACT

To give the commissioners of Clark county jurisdiction, for certain purposes, over a portion of the unfinished part of the National Road west of Springfield.

SEC. 1. *Be it enacted by the General Assembly of the State of Ohio,* That the board of commissioners of the county of Clark shall have power to appropriate any sum of money not exceeding three hundred dollars, to be expended in the completion, repair, and preservation of so much of the line of the National Road, west of the town of Springfield, in said county, as has not been completed and delivered up to the state by the United States, and in the repair and preservation of any bridge, culvert, or other structure, on or belonging to said line of road, and the said board of commissioners shall have power to appropriate, from time to time, so much of the proceeds of any tax that may be levied by authority of law, for road purposes in said county, as they may adjudge reasonable and proper for

the repair, improvement, or preservation of said road, bridges, culverts, and other structures thereto belonging; provided, that nothing herein contained shall be so construed as to abridge or impair any right or privilege which the United States may have to the possession, use, or occupation of the line of said road, for the construction thereof.

SEC. 2. That, for the protection and security of the bridges, culverts, and other structures, belonging to the line of the National Road lying in Clark county, west of Springfield, as aforesaid, it is hereby declared that so much of the laws of this state as provide fines or penalties for injuries done to any bridge, culvert, or other structure on or belonging to the National Road in this state, shall be in force for the punishment of like injuries hereafter committed or done to the bridges, culverts, or other structures belonging to the line of said road west of Springfield, in said county of Clark; which fines or penalties shall be recovered in the manner provided in such laws, to be prosecuted for in the name of the state for the use of said county; provided, that nothing in this act shall be so construed as to be an acceptance of said road by the state of Ohio from the United States; and provided further, that nothing in this act shall be so construed as to create any liability or obligation upon the part of the state of Ohio, even to appropriate any money upon said road, or be under any obligation to complete the same.

WILLIAM P. CUTLER,  
*Speaker of the House of Representatives.*  
EDSON B. OLDS,  
*Speaker of the Senate.*

January 14, 1847.

---

#### AN ACT

To authorize the sale of school section sixteen, in township twenty one, range twenty, in Richland county, belonging to a fractional part of Sugar Creek township, Stark county, for school purposes

WHEREAS, by an act passed March third, one thousand eight hundred and forty-five, authorizing the sale of school section in township twenty-one, range twenty, in Richland county, belonging to a fractional part of Sugar Creek township, Stark county, for school purposes; and, whereas, in accordance with said act, the the trustees of said Sugar Creek township, in the county of Stark, took the necessary steps for the sale of said land in Richland county, by submitting the same to a vote of the citizens of said township aforesaid, which resulted in a majority for sale, the proceedings were, according to law, forwarded to the auditor of Richland county, and there recorded, where it was ascertained that the quarter mentioned in said act aforesaid, viz: the southeast quarter of section one, township twenty-one, and range twenty, in Richland county, was not the quarter belonging to said fractional part of Sugar Creek township, in Stark county; it being the southwest quarter of said section, agreeably to the plat of the general land office at Washington City, D. C., the

other quarter mentioned in said act being congress land, and settled and improved; therefore, in order to enable the trustees of said Sugar Creek township, in Stark county, to carry out the intention of said act—

**SEC. 1.** *Be it enacted by the General Assembly of the State of Ohio,* That the southwest quarter of section one, township twenty-one, and range twenty, in Richland county, belonging to a fractional part of Sugar Creek township, Stark county, for school purposes, be and the same is hereby authorized to be sold: Provided, that no part thereof shall be sold for less than five dollars per acre, nor for less than the appraised value thereof; and such sale shall, in all respects, be governed by the provisions of an act entitled "an act to regulate the sale of ministerial and school lands, and the surrender of permanent leases thereto," passed February second, one thousand eight hundred and forty-three.

**WILLIAM P. CUTLER.**

*Speaker of the House of Representatives.*

**EDSON B. OLDS,**

*Speaker of the Senate.*

January 14, 1847.

#### AN ACT

To lay out and establish a free turnpike road from New Washington, in Guernsey county, to Newtown, in Tuscarawas county.

**SEC. 1.** *Be it enacted by the General Assembly of the State of Ohio,* That Peter B. Ankeny, John Lawrence, James Anderson, John Savers, Jonathan P. Cunnard, and Elijah Preston, of the county of Guernsey, and James M. Snyder, of Tuscarawas county, be and they are hereby appointed commissioners to lay out and establish and construct into a free turnpike road the state road running from New Washington, in Guernsey county, passing through Winchester and New Birmingham, to Newtown, in Tuscarawas county: Provided, that said commissioners, in locating said road, may deviate from the present location of said state road, when, in their opinion, the distance and situation of the ground would be improved by such change, but in no case shall they depart from any point mentioned in this section.

**SEC. 2.** The said commissioners and their successors shall be a body corporate, by the name and style of the Guernsey County Free Turnpike Road Company, and they shall have all the rights, privileges, and powers, and be subject to all the restrictions defined in the act to provide for laying out and establishing free turnpike roads, passed March 12, 1845, and the acts amendatory thereto, except so far as the same may be modified or changed by this act.

**WILLIAM P. CUTLER,**

*Speaker of the House of Representatives.*

**EDSON B. OLDS,**

*Speaker of the Senate.*

January 14, 1847.

## AN ACT

Amendatory to an act entitled "an act authorizing the personal representatives of Micajah T. Williams, late of Hamilton county, deceased, to complete the contracts said Williams made in his lifetime, relative to real estate, and for other purposes," passed March 6th, 1845.

WHEREAS, soon after the passage of said act the last will and testament of Micajah T. Williams was found, and probate thereof granted by the court of common pleas in the county of Hamilton, in this state, and Charles H. Williams was appointed administrator, with the will annexed, and trustee under said will, in the place of the Ohio Life Insurance and Trust Company, with all and singular the same powers which were intended to be conferred upon the said the Ohio Life and Trust Company by will, both as to real and personal property of said estate; and whereas, by said last will and testament the Ohio Life Insurance and Trust Company was appointed executor and trustee, to settle and dispose of said estate as provided for in said will, and for that purpose said estate was granted and devised to said company, with the limitation that whatever should remain after the settlement, should be conveyed to Hannah J. Williams, and to her heirs and assigns forever, it being the intention of said M. T. Williams, as expressed in said will, to devise all the beneficial interest in his estate absolutely subject to the payment of his debts, to his wife Hannah J. Williams and her heirs and assigns forever; and the said the Ohio Life Insurance and Trust Company having declined the trust and executorship conferred by said will, and the said Hannah J. Williams having disclaimed any and all rights, under said will, as legatee or devisee thereof, whereby doubts are created whether the said estate is vested in said Charles H. Williams, as was intended by the court appointing him administrator with the will annexed, and as was intended by said testator should be vested in the trustee whom he appointed, and for the purposes in said will expressed, and it appearing proper that relief be granted in the premises, in the particulars mentioned—

SEC. 1. *Be it enacted by the General Assembly of the State of Ohio,* That the said act of which this is amendatory, be revived as to the said Charles H. Williams, and that the power vested by said act in the two administrators therein named, be vested in him, as sole administrator; except he having given bonds under the appointment of administrator with the will annexed, a bond need not be given unless required by the court, from time to time, as made legal in said act.

SEC. 2. That the said Charles H. Williams hold said estate in trust, as fully as the Ohio Life Insurance and Trust Company would have held the same if said trust had been accepted; and for the purposes and uses in said will mentioned; with all the powers the said will would have conferred if first trust had been executed; and if any property remains after paying the debts of said M. T. Williams, and providing for the widow as required by law, then that the said Charles H. Williams hold the same in trust for the heirs of said M. T. Williams, including himself.

WILLIAM P. CUTLER,  
*Speaker of the House of Representatives.*  
EDSON B. OLDS,  
*Speaker of the Senate.*

January 14, 1847.

## AN ACT

To reduce the number of Township Assessors in Scioto township, Ross county, from five to two.

**SEC. 1.** *Be it enacted by the General Assembly of the State of Ohio,* That the number of township assessors in Scioto township, Ross county, shall be reduced from five to two, and that the qualified electors of said township shall, at their annual election on the first Monday of April next, and annually thereafter, elect two assessors; one to be elected in each election district in said township as now divided for township and county purposes.

**WILLIAM P. CUTLER,**  
*Speaker of the House of Representatives.*  
**EDSON B. OLDS,**  
*Speaker of the Senate.*

January 14, 1847.

## AN ACT

To authorize the commissioners of the county of Gallia to borrow money for the erection of public buildings.

**SEC. 1.** *Be it enacted by the General Assembly of the State of Ohio,* That the commissioners of the county of Gallia, and their successors in office, be and they are hereby authorized to borrow, on the credit of said county, at any time before the expiration of two years from and after the passage of this act, a sum of money not exceeding six thousand dollars, at a rate of interest not exceeding seven per centum, and payable at such time as may be fixed upon by the parties thereto; and that said money, when so borrowed, shall be applied exclusively to the erection of a court house, and such other public buildings and offices as said county may need.

**SEC. 2.** Said commissioners are hereby authorized to assess such taxes as may be necessary to pay the interest on any such sum of money, so borrowed, and the principal, as the same shall become due: Provided, said tax shall not, in any one year, exceed the annual interest due on said money for that year, and one fifth of the principal sum so borrowed.

**WILLIAM P. CUTLER,**  
*Speaker of the House of Representatives.*  
**EDSON B. OLDS,**  
*Speaker of the Senate.*

January 14, 1847.

## AN ACT

To authorize the sale of School Section Sixteen, in Aurelius township, Washington county.

SEC. 1. *Be it enacted by the General Assembly of the State of Ohio,* That school section sixteen, being section sixteen in township five, range eight, in Aurelius township, Washington county, be and the same is hereby authorized to be sold: Provided, that no part thereof shall sell for less than the appraised value thereof; and such sale shall, in all respects, be governed by the provisions of an act entitled "an act to regulate the sale of ministerial and school lands, and the surrender of permanent leases thereto," passed February second, one thousand eight hundred and forty-three, and in accordance with the act to fix the minimum price of the sale of school lands, passed March fourth, one thousand eight hundred and forty-five.

WILLIAM P. CUTLER,

*Speaker of the House of Representatives.*

EDSON B. OLDS,

*Speaker of the Senate.*

January 20, 1847.

## AN ACT

To incorporate the Hamilton and Gregory's Creek Turnpike Road Company.

SEC. 1. *Be it enacted by the General Assembly of the State of Ohio,* That Conrad Schmidtman, Lewis D. Campbell, John P. Reynolds, jr., John W. Erwin, John M. Milikin, Robert Kennedy, L. D. Woodmansee, James Ayres, and George P. Bell, of the county of Butler, and their associates, be and they hereby are created a body politic and corporate, by the name of the Hamilton and Gregory's Creek Turnpike Road Company, for the purpose of constructing a turnpike road, commencing at the east end of the bridge across the Miami Canal, on the road leading from Hamilton to Dayton, and thence on the best route, all things being considered, to some point on the turnpike road, now located, leading from Middletown to Westchester, near to Gregory's Creek, so as to form a junction with said located turnpike road at the most suitable point; which said company shall have all the rights, privileges and powers, and be subject to all the restrictions, defined in the act to provide for the regulation of turnpike companies, passed the seventh of January, one thousand eight hundred and seventeen, and the several acts amendatory thereto, now in force, except in so far as the same may be modified or changed by the provisions of this act.

SEC. 2. That the capital stock of said company shall be fifteen thousand dollars, divided into shares of fifty dollars each.

SEC. 3. That the above named commissioners, or a majority of them, shall meet at such time and place as they may appoint, after the passage of this act, and proceed to organize the said company, and to make the necessary arrangements for the opening of books for subscription of stock to said company.



SEC. 4. That so soon as two thousand dollars of stock shall be subscribed, the said commissioners shall call a meeting of the stockholders, by giving ten days' public notice, for the election of five directors, to manage the affairs of said company.

SEC. 5. That said company be and they are hereby authorized to demand and collect, from persons traveling said road the entire length thereof, (which will be between six and seven miles,) the following tolls, and in the same proportion for any less distance, to wit: For every sheep, two mills; for every hog, three mills; for every head of cattle, six months old and upwards, three-fourths of a cent; for every horse, mule, or ass, two cents; for every horse and rider, four cents; for every one-horse vehicle, drawn by one animal, eight cents; for every animal in addition, five cents; for every four-wheeled vehicle, including coaches, stages, carriages, barouches, wagons, &c., drawn by two animals, fifteen cents; for every additional animal to such vehicle, five cents; for every sled or sleigh, drawn by one animal, eight cents; for every animal in addition, four cents.

SEC. 6. That whenever the one-half of the length of said road shall be finished, the said company may erect a gate thereon, and collect tolls from all persons traveling said road, not exempt from the payment of tolls by the terms of this act, at rates not exceeding those above specified.

SEC. 7. That all persons going to and from their usual places of public worship on the Sabbath, funerals and militia musters, and the troops and armies of the United States and of this state, may pass on such turnpike free from the payment of tolls.

SEC. 8. That said company are hereby authorized to collect toll from all persons traveling on said road, and not passing any tollgate, at the rate fixed by this act.

SEC. 9. That said company may contract with persons traveling said road, and not passing a tollgate, for the use of any portion of said road, by the year; and they may also contract with individuals, to pass any tollgate or gates by the year: Provided, that in no event shall they be allowed to charge for traveling said road at rates higher than those fixed by the fifth section of this act, if the amount of travel can be ascertained before said contract is entered into, or before said charge for toll is made.

SEC. 10. If any difficulty should arise in relation to the route to be established, the majority of the directors may, if they deem it proper, appoint some competent and disinterested engineer, residing out of the county, to examine the several proposed routes, and report, in writing, to said board, the most eligible route, in his opinion, all things being considered, for the location of said road; which report, when made by said engineer, thus appointed, shall be final and conclusive; and said directors shall cause the same to be recorded, and shall construct said road on the route located by said engineer.

SEC. 11. That said company shall be subject to the provisions of all acts now in force, or which may hereafter be enacted for the purpose of governing turnpike companies generally.

WILLIAM P. CUTLER,  
*Speaker of the House of Representatives.*  
EDSON B. OLDS,

*Speaker of the Senate.*

January 21, 1847.

## AN ACT

To authorize the City Council of Dayton to borrow money for certain purposes.

SEC. 1. *Be it enacted by the General Assembly of the State of Ohio,* That the city council of the city of Dayton, in the county of Montgomery, be and are hereby authorized and empowered to borrow, upon the faith and credit of said city, a sum of money not exceeding fifteen thousand dollars, for the purpose of enabling said city council to repair any damage caused by the late flood to bridges, levees, and such other purposes as the council may determine.

SEC. 2. That the city council are hereby authorized to levy a special tax, from year to year, for the purpose of paying the interest upon any loan that may be negotiated in pursuance of this act; which tax, so levied and paid, shall be appropriated for the payment of interest accruing upon any such loan, and for no other purpose or purposes whatever.

WILLIAM P. CUTLER,  
*Speaker of the House of Representatives.*  
EDSON B. OLDS,  
*Speaker of the Senate.*

January 23, 1847.

## AN ACT

To authorize the Mayor and Trustees of the town of Harmar, and the Town Council of the town of Marietta, to convey land to the State of Ohio for hydraulic purposes.

SEC. 1. *Be it enacted by the General Assembly of the State of Ohio,* That the mayor and trustees of the town of Harmar, and the town council of the town of Marietta, in the county of Washington, be and they are hereby authorized and empowered, severally, to convey to the state of Ohio, for hydraulic purposes, so much of the streets and public grounds of said towns, respectively, as may be necessary for the construction or maintaining of watercourses, the erection or maintaining of buildings and machinery, to bring into or continue in use any hydraulic power which the state of Ohio has leased, or may lease, at or below the lower dam on the Muskingum Improvement.

WILLIAM P. CUTLER,  
*Speaker of the House of Representatives.*  
EDSON B. OLDS,  
*Speaker of the Senate.*

January 23, 1847.

## AN ACT

For the relief of Stacy Taylor, subcontractor under William Kent.

**Sec. 1.** *Be it enacted by the General Assembly of the State of Ohio,* That the board of public works is hereby authorized to examine the claim of Stacy Taylor for work performed on section fifty of the Miami Extension Canal, and if they shall be satisfied that said claim is just, they shall allow the same; and the amount so allowed shall be paid out of the proceeds of bonds issued under the "act to provide for paying certain debts on the public works of the state," passed March second, one thousand eight hundred and forty-six, for which the fund commissioners shall make the necessary appropriation.

**WILLIAM P. CUTLER,**  
*Speaker of the House of Representatives.*  
**EDSON B. OLDS,**  
*Speaker of the Senate.*

January 23, 1847.

## AN ACT

To authorize a loan of two hundred thousand dollars by the city of Cincinnati, for the use of the water works.

**WHEREAS,** on the twenty-fifth day of May, one thousand eight hundred and forty-six, a majority of the voters of the city of Cincinnati, having voted in favor of a loan to be made by the said city for the completion, and to fund the floating debt of the water works of the said city; therefore,

**Sec. 1.** *Be it enacted by the General Assembly of the State of Ohio,* That the city council of the said city of Cincinnati be and they are hereby authorized and empowered, on behalf of the said city, to borrow the sum of two hundred thousand dollars, at any rate of interest not exceeding six per centum, in such sums, from such person or persons, body or bodies politic or corporate, and for such length of time, not exceeding fifty years, as the said city council may deem proper; for which, the said city council may issue such certificates of stock as may be agreed on between them and the person or persons, body or bodies corporate or politic, with whom such loan, or any part thereof, may be contracted.

**Sec. 2.** *And be it further enacted,* That the said city council shall have power to provide for the payment of the interest on the said loan, and for the final redemption of the debt, and to that end may pledge the property, revenues, rights and privileges of said water works, and the faith of said city, in such manner and upon such terms and conditions as may be necessary and proper to consummate such loan; and they shall also have power to pass all ordinances which may be required to carry out this act.

**WILLIAM P. CUTLER,**  
*Speaker of the House of Representatives.*  
**EDSON B. OLDS,**

*Speaker of the Senate.*

January 29, 1847.

## AN ACT

To incorporate the Salem Turnpike Road Company.

SEC. 1. *Be it enacted by the General Assembly of the State of Ohio,* That John Hikes, Samuel White, Samuel Boyer, James F. Thompson, John Powell, Daniel Hyre, James A. Riely, John Bowman, David Swank, H. M. Turner, J. W. Turner and C. Gish, of the county of Montgomery, and their associates, be and they are hereby created a body corporate, under the name of the Salem Turnpike Road Company, for the purpose of constructing a turnpike road from the village of Salem, in Montgomery county, to intersect the Dayton and Covington turnpike at the most eligible point; which company shall have all the rights, privileges and powers, and be subject to all the restrictions defined in the act to provide for the regulation of turnpike companies, passed January seventh, one thousand eight hundred and seventeen, and the several acts amendatory thereto, except in so far as the same may be modified or changed by the special provisions of this act.

SEC. 2. That the capital stock of said company may be twenty thousand dollars, divided into shares of twenty dollars each.

WILLIAM P. CUTLER,

*Speaker of the House of Representatives.*

EDSON B. OLDS,

*Speaker of the Senate.*

January 29, 1847.

## AN ACT

To incorporate the Germantown, Farmersville, and West Alexandria Turnpike Road Company.

SEC. 1. *Be it enacted by the General Assembly of the State of Ohio,* That Abia Zeller, I. F. Kern, George C. Shaffer, Joseph Cline, and Henry Shiddler, of the county of Montgomery, and Joseph Brower and John Mumma, of the county of Preble, and their associates, be and they are hereby constituted a body politic and corporate, by the name of the Germantown, Farmersville, and West Alexandria Turnpike Road Company, for the purpose of constructing a turnpike road from Germantown, via Farmersville, both in Montgomery county, to some suitable point on the Dayton and western turnpike road, in the county of Preble; which company shall have all the rights, privileges, and powers, and be subject to all the restrictions defined in the act to provide for the regulation of turnpike companies, passed January seventh, one thousand eight hundred and seventeen, and the several acts amendatory thereto, except in so far as the same may be modified or changed by the special provisions of this act.

SEC. 2. That the capital stock of said company may be fifteen thousand dollars, divided into shares of fifty dollars each.

WILLIAM P. CUTLER,

*Speaker of the House of Representatives.*

EDSON B. OLDS,

*Speaker of the Senate.*

January 29, 1847.

## AN ACT

To preserve fish, during certain seasons of the year, in Chippewa lake, in Medina county.

**SEC. 1.** *Be it enacted by the General Assembly of the State of Ohio,* That from and after the fifteenth day of May to the first day of October, of each year, it shall be unlawful for any one to fish with a sein, dip net, drag net, or any kind of net or sein, in the lake commonly known as Chippewa lake, in the county of Medina, in this State.

**SEC. 2.** That any person offending against the provisions of this act shall be subject to a fine of ten dollars for each offence, to be recovered in an action of debt before any justice of the peace within and for the county of Medina, at the suit of any citizen of said county, to and for the use of the common schools in said county.

**SEC. 3.** This law shall take effect and be in force from and after the first day of May next.

WILLIAM P. CUTLER,  
*Speaker of the House of Representatives.*  
EDSON B. OLDS,  
*Speaker of the Senate.*

January 29, 1847.

## AN ACT

To authorize William Lee and John Whan, administrators of the estate of Joshua Brown, (a colored man) late of Athens, Harrison county, Ohio, deceased, to pay over the amount of personal property belonging to said estate, in their hands and under their control, and deliver the deed or deeds of the one-half of the undivided north half of lot No. 21, as marked on the plat of said town of Athens, in said county, to John Edie, (a colored man) of Jefferson county, Ohio.

**WHEREAS,** it is represented to this general assembly, by the petition of John Edie, (a colored man) and James McKinney and others, citizens of the county of Jefferson, Ohio, and William Lee and John Whan, administrators of the estate of Joshua Brown, (a colored man) deceased, that the said Joshua Brown died intestate, and that, at the time of his death, he had the following personal property, bonds, notes, and book accounts, amounting to the sum of two hundred and thirty-four dollars, or thereabouts; also, the following real estate, to wit: the undivided north half of lot numbered twenty-one, in the town of Athens, Harrison county, Ohio; and whereas, it further appears that the said Joshua Brown, at the time of his decease, had no relations that could prove their blood relationship to the deceased; and it further appears that the said Joshua Brown did, in his lifetime, acknowledge and recognize John Edie, (a colored man) of Jefferson county, to be his, said Joshua Brown's, cousin; and it further appears to us that the said John Edie, (a colored man) of Jefferson county, is by birth the cousin of the deceased, although he can and does only establish that fact by his own testimony; and it further appears to us, by the petition of James McKinney and others, that the said John Edie is a man of truth, and that they believe his statement

to be true; and they, in connection with the said John Edie, petition this general assembly to pass an act declaring the said John Edie heir to said estate of Joshua Brown, (a colored man) deceased: therefore,

SEC. 1. *Be it enacted by the General Assembly of the State of Ohio,* That William Lee and John Whan, administrators of the estate of Joshua Brown, (a colored man) late of Athens, Harrison county, Ohio, deceased, be and they are hereby authorized to pay over the amount of personal property belonging to the estate of Joshua Brown, as aforesaid, deceased, to John Edie, (a colored man) of Jefferson county, Ohio.

SEC. 2. That the said William Lee and John Whan, administrators of the estate of Joshua Brown, aforesaid, deceased, be and they are hereby authorized to hand over the deed or deeds for the undivided north half of lot number twenty-one, on the plat of the town of Athens, in Harrison county, Ohio, and owned by Joshua Brown, deceased, at the time of his decease, to John Edie, (a colored man) of Jefferson county, Ohio, so that the title in said premises may pass to and vest in him, the said John Edie, as contemplated by this act.

SEC. 3. That before the said administrators shall deliver to the said John Edie the said personal and real property belonging to the said Joshua Brown, deceased, the said John Edie shall make and execute a bond to the said administrators, with good and sufficient security, conditioned that if, at any time thereafter, any person appear and claim said property, and shall establish the fact that he is the true and lawful heir of the said Joshua Brown, that then the said John Edie shall fully indemnify the said lawful heir for all the property and money that shall have come to him from the estate of the said Joshua Brown.

WILLIAM P. CUTLER,  
*Speaker of the House of Representatives.*  
EDSON B. OLDS,  
*Speaker of the Senate.*

January 29, 1847.

---

#### AN ACT

To divorce A. Seely Powers from his wife Mary Powers.

SEC. 1. *Be it enacted by the General Assembly of the State of Ohio,* That the marriage contract heretofore existing between A. Seely Powers and his wife, Mary Powers, be and the same is hereby dissolved: Provided, that this act shall not operate to discharge said A. Seely Powers from his liability to support the said Mary Powers, during the period of her natural life.

WILLIAM P. CUTLER,  
*Speaker of the House of Representatives.*  
EDSON B. OLDS,  
*Speaker of the Senate.*

February 1, 1847.

## AN ACT

To revive and amend an act entitled "an act to lay out and establish a State road in the counties of Monroe and Washington."

SEC. 1. *Be it enacted by the General Assembly of the State of Ohio,* That the act of the general assembly, passed March tenth, one thousand eight hundred and forty-three, entitled "an act to establish a state road in the counties of Monroe and Washington," be and the same is hereby revived and in full force, except that the mouth of Bear Run and Morgan Jones' shall not be considered as positive points in said road.

SEC. 2. That Joseph Barker, of Washington county, and Jacob Vernon and Samuel Rounds, of Monroe county, are hereby appointed commissioners, and J. Patterson Mason, of Monroe county, surveyor, to carry into effect the provisions of the act to which this is an amendment.

SEC. 3. That the commissioners and surveyor named in this act may, at any time previous to the first day of November next, proceed to lay out and establish the state road, in said act mentioned.

SEC. 4. That if all or either of said commissioners, or said J. Patterson Mason, surveyor, should die, remove, or refuse to act, the county commissioners of the county in which any vacancy has occurred, or may occur, shall have power to fill the same, so as to insure the fulfillment of the object of this act, which shall be in force from and after its passage.

WILLIAM P. CUTLER,

*Speaker of the House of Representatives.*

EDSON B. OLDS,

*Speaker of the Senate.*

February 1, 1847.

## AN ACT

To incorporate the Miltonville and Trenton Turnpike Road Company:

SEC. 1. *Be it enacted by the General Assembly of the State of Ohio,* That Isaac Overpeck, Robert Busenbark, George Flenner, Frederick Eberhart, J. C. Vansickle, Benjamin Deholt, Jeremiah Marston, John Kemp, jr. and John Hunt, of the county of Butler, and their associates, be and they are hereby created a body corporate, under the name of the Miltonville and Trenton Turnpike Road Company, for the purpose of constructing a turnpike road, to commence on the lands of Samuel Snider, at or near where the road leading north from Miltonville crosses the Winchester and Middletown Turnpike Road, in Madison township, Butler county; and from thence to Trenton, making Miltonville a point; and from thence to intersect the turnpike road leading from Hamilton and Rossville to Somerville and Eaton, at or near the three-mile stone on said turnpike road: to be constructed on the old road, or near as practicable, from Miltonville to Trenton, and from Trenton, to the terminating point, as above specified; which company shall have all the rights, privileges and powers, and be sub-

ject to all the restrictions defined in the act to provide for the regulation of turnpike companies, passed January seventh, one thousand eight hundred and seventeen, and the several acts amendatory thereto, except in so far as the same may be modified or changed by the special provisions of this act.

SEC. 2. The capital stock of said company shall be an amount sufficient to construct said turnpike road, not to exceed thirty thousand dollars, divided into shares of twenty-five dollars each.

SEC. 3. The above named commissioners shall meet at the town of Trenton, in Butler county, at such time as they may think best, and proceed to organize said company, by the election of a president and clerk out of their own board, and to take order for opening of books for the subscription of stock, agreeably to the second section of said act to provide for the regulation of turnpike companies.

SEC. 4. That, as soon as one hundred and sixty shares of the stock of said company shall be subscribed, the said company shall call a meeting of stockholders, in the manner prescribed by the third section of said act to provide for the regulation of turnpike companies; for the election of seven directors for the government of said company.

SEC. 5. That said company be and they are hereby authorized to demand and receive, from persons traveling said road, the following tolls for every ten miles' travel on said road, and in the same proportion for a less distance, to wit: For every four-wheeled carriage, other than pleasure carriages, drawn by two horses, oxen or other animals, twenty cents: and each additional animal, five cents; for every sled or sleigh, drawn by two horses, oxen or other animals, ten cents: and for each additional animal, five cents; for every horse and rider, five cents; for every horse, mule or ass, six months old or upwards, led or driven, three cents; for every head of neat cattle, six months old or upwards, one cent; for every head of sheep or hogs, one half cent; for every four-wheeled pleasure carriage, drawn by two horses or other animals, twenty-five cents: for each additional animal, five cents; for every two-wheeled pleasure carriage, drawn by one horse or other animal, ten cents; for every four-wheeled pleasure carriage or buggy, drawn by one horse or other animal, fifteen cents; for every stage coach, drawn by four horses or other animals, fifty cents; for every cart, drawn by one horse or mule, or two oxen, ten cents: for every horse or ox in addition, five cents.

SEC. 6. That whenever five continuous miles of said road are completed, according to the provisions of the said act for the regulation of turnpike companies, the aforesaid company may erect a gate, and collect tolls from persons traveling said road at the above specified rates.

WILLIAM P. CUTLER,

*Speaker of the House of Representatives.*

EDSON B. OLDS,

*Speaker of the Senate.*

February 1, 1847.



## AN ACT

To amend an act entitled "an act to lay out a Free Turnpike Road from South Otsego to the north line of Hancock county," passed March 10, 1845.

SEC. 1. *Be it enacted by the General Assembly of the State of Ohio,* That the commissioners of the county of Wood, if they deem it necessary for the completion of said road, may levy an additional tax to that already levied, not to exceed four mills on the dollar of the valuation on the first tier of sections on each side of the road, and a tax not to exceed two mills on the dollar of the valuation on the second tier of sections on each side of the road; such tax shall be levied, collected and regulated, in every respect, by the provisions of the act establishing said free turnpike road, to which this is an amendment.

SEC. 2. That the commissioners of said free turnpike road, whenever they issue certificates to any person for work done on said road, may allow interest on such certificates from the date thereof to the time they are paid.

SEC. 3. That nothing in this act shall be so construed as to tax any land in the township of Washington.

SEC. 4. This act to take effect from and after its passage.

WILLIAM P. CUTLER,  
*Speaker of the House of Representatives.*  
EDSON B. OLDS,  
*Speaker of the Senate.*

February 1, 1847.

## AN ACT

To revive and amend an act entitled "an act to lay out and establish a State road in the counties of Coshocton and Knox."

SEC. 1. *Be it enacted by the General Assembly of the State of Ohio,* That the act entitled "an act to lay out and establish a state road in the counties of Coshocton and Knox," passed February eighteenth, one thousand eight hundred and forty-five, shall be so far revised and amended as to authorize said commissioners therein named, to review the route for said road from the east bank of the Mohican to the first narrows on Owl Creek or Vernon river, and establish the same at and along the foot of the hill north of said Owl Creek, if, in their judgment, a good road can be constructed.

SEC. 2. That said road, as reviewed and corrected, shall be established, in all respects, as though it had not been heretofore defeated by claim for damages.

WILLIAM P. CUTLER,  
*Speaker of the House of Representatives.*  
EDSON B. OLDS,  
*Speaker of the Senate.*

February 1, 1847.

## AN ACT

To change the name of Meadow Lane, in Montgomery township, Franklin county, to that of Washington Avenue.

SEC. 1. *Be it enacted by the General Assembly of the State of Ohio,* That the road or street deviding certain out-lots in the township of Montgomery, and county of Franklin, and more particularly described and known on the plat of the city of Columbus, as Meadow Lane, have the name thereof changed from that of Meadow Lane to that of Washington Avenue.

WILLIAM P. CUTLER,

*Speaker of the House of Representatives.*

EDSON B. OLDS,

*Speaker of the Senate.*

February 1, 1847.

## AN ACT

To provide for leasing a tract of land in Freeport township, Harrison county.

SEC. 1. *Be it enacted by the General Assembly of the State of Ohio,* That John Knox, of Harrison county, be and hereby is appointed an agent for the state of Ohio, with power to let and lease, for the term of ninety-nine years, subject to revaluation once in every ten years, as hereinafter directed, a certain tract of land or farm of about eighty acres, situate in Freeport towship, in said county, now in the actual possession of one Samuel Bell, of said township, and which has escheated and belongs to the state of Ohio.

SEC. 2. The said Knox, on or before the first Monday of April, one thousand eight hundred and forty-seven, with two good and disinterested freeholders of said county, who are not of kin to said Bell, to be selected by said Knox, shall proceed, on oath or affirmation duly administered by an officer having authority to administer oaths, and upon actual view of said farm, to estimate the yearly value thereof for ten years, which estimate shall be reduced to writing and signed by them, and delivered to said Knox.

SEC. 3. The said Knox, upon receiving said certificate, shall forthwith notify said Bell thereof, if he be in said township, and if said Bell shall be willing to accept of said land for the term of ninety-nine years from the first day of April, one thousand eight hundred and forty-seven, subject to the estimated annual rent, to be revalued at the end of each ten years, and shall give sufficient bond and security for the first year's rent, the said Knox shall, without unnecessary delay, for the state of Ohio, execute a lease to said Bell and his assigns, for said term, reserving therein, such estimated annual rent to be paid as hereinafter provided; and the said Knox shall retain a copy of said lease, which he shall deliver to the auditor of said county, who shall file and retain the same in his office.

SEC. 4. The auditor of said county, upon receiving said lease, shall enter the name of said Bell upon his tax duplicate, in the list of lands for said township, and enter said land to him upon said duplicate in the same manner he is required to enter lands for taxation, and in the column of taxes for state purposes, enter the amount of rent annually reserved.

SEC. 5. The rents so reserved shall be collected and accounted for, and paid over in the same manner as taxes for state purposes are or may be collected, accounted for, and paid over; and on default of payment thereof, the leasehold estate of the said Bell in said land, shall be subject to sale and forfeiture in the same manner as lands are, or may be sold and forfeited for nonpayment of taxes.

SEC. 6. The said leasehold estate shall be subject to taxation in the same manner that other leasehold estates are, or may be taxed in this state.

SEC. 7. The said Knox shall be allowed five dollars, and the said appraisers one dollar each, for their services under this act, which shall be paid by said Bell, who shall have credit for the amount so paid on his rent for so much money paid.

SEC. 8. The said Bell shall have his copy of said lease recorded by the recorder of said county, within six months after he shall receive the same, at his own cost; and unless the same is so recorded, it shall be void.

SEC. 9. The auditor of said county of Harrison shall, at the end of each succeeding ten years after the said first day of April, one thousand eight hundred and forty-seven, cause said land to be reappraised in the manner pointed out in the second section of this act, and enter the valuation upon the tax list, and collect the same, as hereinbefore provided.

SEC. 10. This act and all leases made under it, shall be subject to the rights and equities of the heirs of the person who was last seized of the premises in the first section mentioned.

WILLIAM P. CUTLER,  
*Speaker of the House of Representatives.*  
EDSON B. OLDS,  
*Speaker of the Senate.*

February 1, 1847.

---

#### AN ACT

To authorize Picton D. Hillyer, administrator of Milo D. Pettibone, deceased, to sell land and complete real contracts of his decedent, and for other purposes.

SEC. 1. *Be it enacted by the General Assembly of the State of Ohio,* That Picton D. Hillyer, administrator of Milo D. Pettibone, deceased, be and he is hereby authorized and empowered to sell, at public or private sale, the interest of the minor heirs of said intestate, in all the lands descended to them from their said ancestor, in such lots or parcels, and at such price or prices, and on such terms of credit as, in his opinion, will be most conducive to their advantage; and to execute and deliver to purchasers, deeds in fee simple for the land so sold, conveying to the purchasers

all title, right and interest of such of said heirs as may be infants at the dates of the sales respectively: Provided, however, that no sale shall be made, by virtue of this act, without the express assent, in writing, of the legal guardian of said minor heirs, executed in the manner required by law, for the execution of deeds of land, and recorded in the county of Delaware; and further provided, that no sale shall be made in pursuance of this act, until the dower estate of the widow of said Milo D. Pettibone in his estate, shall have been first assigned to her by the amicable deed of the heirs of said Pettibone, of legal age, and of the legal guardian of such heirs who are under age, for which purpose authority therefor is hereby given to such guardian, or by proceedings to be instituted in court therefor, according to law.

SEC. 2. That said Picton D. Hillyer be and he is hereby authorized and empowered to complete the contracts made by his decedent in his lifetime, for the sale of lands, by executing and delivering to the purchasers, on full payment of the purchase money, deeds in fee simple for the lands so contracted to be sold, which deeds, duly executed and acknowledged by said Hillyer, shall vest in the purchaser all the title and interest of the heirs of said intestate in said lands; and, in case the said purchasers, or any of them, should be unable to pay the purchase money, the said Hillyer is hereby authorized and empowered, (if he shall be of opinion that the interests of said heirs will be best promoted thereby) to cancel said contracts with the consent of the purchasers respectively.

SEC. 3. That it shall be the duty of said Hillyer, out of the proceeds of said sales, to pay, first, all the remaining debts of said estate, according to law, and render a full account of his proceedings to the court of common pleas of the county of Delaware, Ohio, at least once a year; to pay over to the heirs that may be of full age, and to the guardian of the infant heirs, all balances (after paying debts and legal costs and charges) that may, from time to time, be in his hands, arising from said sales.

SEC. 4. That the said court shall have power to require the said Hillyer to give such other and further security for the faithful performance of his duties under this act, as they may deem necessary and reasonable.

WILLIAM P. CUTLER,

*Speaker of the House of Representatives.*

EDSON B. OLDS,

*Speaker of the Senate.*

February 3, 1847.

#### AN ACT

To authorize the city of Cincinnati to fund the floating debt of said city.

WHEREAS, by a resolution of the city council of the city of Cincinnati, adopted on the twenty-third December, eighteen hundred and forty-six, it was decided that application should be made to the Legislature of Ohio to authorize the said city council to borrow one hundred and fifty thousand dollars for the purpose of paying and funding the floating or unfunded debt of said city; therefore,

**SEC. 1.** *Be it enacted by the General Assembly of the State of Ohio,* That the city council of the city of Cincinnati, be and they are hereby authorized, on behalf of said city, to borrow any sum or sums not exceeding one hundred and fifty thousand dollars, for the purpose of paying off and funding the floating or unfunded debts of said city, and for no other purpose whatever, at any rate of interest not exceeding six per centum, in such sum or sums from such person or persons, body or bodies, corporate or politic, and for such length of time, not exceeding fifty years, as the city council may deem proper; for which, the said city council may issue such certificates of stock as may be agreed upon between them and the person or persons, body or bodies, corporate or politic, with whom such loan, or any part thereof, may be contracted: Provided, that the said city council shall not be at liberty to dispose of said certificates of stock, or any part thereof, for less than their par value: Provided, also, that after the floating or unfunded debt of said city shall have been paid off, by means of said loan, or otherwise, no contract shall be entered into by said city council for any work to be done, or materials to be furnished, unless fairly predicated upon the revenues of the said city for the current year; and no appropriation of money, for any purpose whatever, shall be made when there is not a sufficiency in the treasury for the payment thereof, at the time of such appropriation; and any member or members of the said city council who, being present, shall not vote against such a contract being made, shall be jointly and severally liable for the payment of all such contracts or appropriations, to be recovered from them, or either of them, in any court of competent jurisdiction in the county of Hamilton.

**SEC. 2.** That the said city council shall provide for the payment of the interest on said loans, and for the final redemption of the debt, within the period for which the same may be contracted, and to that end may pledge the property and revenues of the said city, in such manner and upon such terms and conditions as may be necessary and proper to consummate said loan.

**SEC. 3.** Before the loan authorized by this act shall be contracted, it shall be submitted to the qualified voters of said city, for approval, at the regular spring or fall election, on the first Monday of April, or second Tuesday of October, and only when approved by a majority of the votes cast at such election, this act shall be in full force and effect, otherwise to be null and void; and the mayor of said city is hereby directed to give notice of the contents of this act by handbills being posted up in at least three public places in every ward of said city, and by publication in at least three newspapers of general circulation in said city, at least ten days previous to such election.

**SEC. 4.** That the city council of said city is hereby authorized to suspend the collection of any tax, in money, in lieu of labor on the roads and highways within the limits of said city, if the said city council should deem proper to do so, and all laws and parts of laws which direct the appointment of city collectors by the said city council, be and the same are hereby repealed: Provided, that if the said city council should deem it advisable to continue the collection of said tax, it is then made the duty of the said city council to provide for the collection of the same, in such manner, and by such officers as they may think proper, with such restrictions and safe-

guards as to prevent any fraud or embezzlement of such tax; and provided, further, that all money collected for such purpose shall be solely applied to the purposes in lieu of which such tax is collected.

WILLIAM P. CUTLER,  
*Speaker of the House of Representatives.*  
EDSON B. OLDS,  
*Speaker of the Senate.*

February 3, 1847.

#### AN ACT

For the erection of a Town Hall in the township of Spencer, Medina county.

SEC. 1. *Be it enacted by the General Assembly of the State of Ohio,* That the legal voters of the township of Spencer, in Medina county, shall assemble on the first Monday of April next, at the usual place of holding elections in said township, and then and there decide, by ballot, for or against building a hall for the use of said township, and for or against levying a tax upon all the taxable property in said township to pay for the same.

SEC. 2. That every voter who is in favor of the erection of said hall, and of taxing the property of the township to pay for the same, shall indorse on his ballot "Town hall," and every voter who is opposed to the building of said hall, and of taxing the township to pay for it, shall indorse on his ballot "No town hall;" and if a majority of all the legal voters in said township vote "town hall," then the trustees of said township shall, and are hereby authorized to levy a tax upon all the taxable property of said township, for the erection of said hall, which shall be assessed and collected in the same manner as township taxes are by law: Provided, the amount of said tax shall not exceed four hundred dollars.

SEC. 3. That it shall be the duty of the township trustees, at least ten days previous to said election, to post up written or printed notices in three public places in said township, which notices shall state that, at said election, the legal voters of said township will decide, by ballot, for or against the levying of a tax upon all the property of said township, for the erection of a hall for the use of said township.

SEC. 4. That if a majority of the legal voters of said township vote "town hall," the trustees of said township are hereby authorized to procure a site, upon which to erect said hall, and to levy a tax upon the taxable property of said township, whenever they shall deem it necessary, for the purpose of painting or repairing said hall; and the said hall, and the ground upon which it is erected, shall be under the control and held by said trustees, and their successors, for the use of said township.

WILLIAM P. CUTLER,  
*Speaker of the House of Representatives.*  
EDSON B. OLDS,  
*Speaker of the Senate.*

February 3, 1847.

## AN ACT

To authorize the Commissioners of Wood county to cut down timber adjoining certain roads in the county of Wood.

SEC. 1. *Be it enacted by the General Assembly of the State of Ohio,* That the county commissioners of Wood county be and they are hereby authorized to cause the timber adjoining the McCutchenville and Findlay roads, in Wood county, to be chopped down, to the distance of six rods on each side of said roads, in such places adjoining said roads as they may deem necessary for the benefit of the same; and that they be and are hereby authorized to defray the expenses of the same out of the respective funds created for the construction of said roads: Provided, the consent, in writing, of the owners of the lands along said road, shall be first obtained.

WILLIAM P. CUTLER,

*Speaker of the House of Representatives.*

EDSON B. OLDS,

*Speaker of the Senate.*

February 3, 1847.

## AN ACT

To provide for a better management of the Water Works of the city of Cincinnati.

SEC. 1. *Be it enacted by the General Assembly of the State of Ohio,* That the city of Cincinnati is hereby authorized to make use of the streets, lanes, alleys, commons and other public highways in said city, for the purpose of laying down, relaying or repairing pipes and other appendages necessary for supplying the citizens with water: Provided, that the streets and other passages shall not be obstructed for a longer time than is necessary for the performance of the work, and replace the pavement in a good and substantial manner.

SEC. 2. The management of the water works shall be vested in a board of trustees, consisting of three members, having the qualifications of electors of the city, to be elected for the term of three years, by the qualified voters of the city, at the annual election for city officers: and the said board shall be so arranged by themselves, by lot or otherwise, that after the first election, one shall go out of office each year; and if any one so elected shall refuse to serve, or in case of a vacancy occurring in any other way, the city council shall fill such vacancy until the next annual election.

SEC. 3. The board of trustees of the water works are hereby vested with power to conduct and manage said works, to appoint all necessary officers and agents, to prescribe their duties and determine their compensation, subject to the approval of the city council; and they are hereby authorized, and it shall be their duty to pass all such bylaws, rules and regulations as may be necessary to insure the prompt collection of the water rent, for the protection of the works, and for the efficient management of the same; which bylaws, rules and regulations, when approved by the city

council, by ordinance, shall be enforced as the ordinance of said city may or shall be enforced.

SEC. 4. It is hereby made the duty of the board of trustees, to cause to be collected half-yearly, in advance, from all the persons using or owning hydrants or other outlets of water from the pipes of the water works, such rent as shall be equitable, having reference to the quantity used from each hydrant or outlet, which said rent may be collected, in case of refusal to pay, by action of debt, before any competent authority in said city.

SEC. 5. It shall be the duty of said trustees to keep a journal of their proceedings, and correct accounts of all transactions relating to said works, to see that the accounts are properly audited, to make monthly reports to the city council, and on the first day of January, in each year, to cause a full and specific statement of all receipts and disbursements to be published in pamphlet form for the use of the citizens.

SEC. 6. All moneys received on account of the water works, shall be paid into the city treasury, weekly, and shall be drawn out in conformity with the rules of the board of trustees regulating the same; and in no case shall the funds belonging to the water works be drawn, appropriated or used for any other purpose whatever, except the payment of interest on the money borrowed for the use of said works, or other necessary disbursements connected with the same.

SEC. 7. The said board of trustees are hereby prohibited from making any contract, the payment of which cannot be reasonably predicated on the annual income of said works. Said board of trustees shall require of all collectors of water rents or taxes, and of such other officers of said works as they see fit, such bond as shall be accepted by the city council, payable to said city, with such securities as they may deem proper, which bonds shall be filed with the city clerk.

SEC. 8. It is hereby made the duty of said board of trustees, so soon as the condition of the water works will admit of it, to apply a portion of income, annually, as a sinking fund, for the redemption of the bonds issued on account of said water works. The present officers are hereby continued until others are elected and qualified.

SEC. 9. It is hereby required, that each of the trustees of said board shall execute to the city of Cincinnati a bond in such sum as the city council shall determine, with security approved by the city council, for the faithful performance of the duties with which they are charged, which bond shall be filed with the city clerk.

SEC. 10. That any member of said board of trustees may at any time be removed by a vote of two-thirds of the city council, for gross neglect of duty or other gross misconduct in office.

SEC. 11. All acts heretofore passed upon this subject, and that are inconsistent with the provisions of this act, are hereby repealed.

WILLIAM P. CUTLER,

*Speaker of the House of Representatives.*

EDSON B. OLDS,

*Speaker of the Senate.*

February 3, 1847.



## AN ACT

To repeal part of the sixth section of the "Act authorizing the Commissioners of Wood county to purchase the Perrysburg, Findlay, and Kenton Turnpike Road," passed January 21, 1845.

**SEC. 1.** *Be it enacted by the General Assembly of the State of Ohio,* That so much of the sixth section of the above named act as excludes the president and directors of the Perrysburg, Findlay and Kenton Turnpike Road Company from receiving any compensation for their services, to be paid out of the road fund created by said act, be repealed, and that the county commissioners of Wood county, be and they are hereby authorized to allow and pay to said president and directors, out of said road fund, a just and reasonable compensation for their services in constructing the aforesaid road.

WILLIAM P. CUTLER,  
*Speaker of the House of Representatives.*  
EDSON B. OLDS,  
*Speaker of the Senate.*

February 3, 1847.

## AN ACT

To authorize the Commissioners of Hancock county to levy an additional tax for road purposes.

**SEC. 1.** *Be it enacted by the General Assembly of the State of Ohio,* That the county commissioners of Hancock county be and they are hereby authorized to levy an additional tax on the grand levy of said county, not to exceed, in any one year, three-fourths of a mill on the dollar.

**SEC. 2.** The proceeds of the tax authorized to be levied in the foregoing section, shall be expended in opening and improving that part of the Bellefontaine state road, in the county of Hancock, where obstructions occur there by a creek called Eagle creek, the same being about three miles south of the town of Findlay, the county seat of the said county; and the same shall be expended under the direction of the county commissioners of said county.

**SEC. 3.** That this act shall take effect and be in force from and after its passage.

WILLIAM P. CUTLER,  
*Speaker of the House of Representatives.*  
EDSON B. OLDS,  
*Speaker of the Senate.*

February 3, 1847.

## AN ACT

To amend the act entitled "an act to incorporate the trustees and subscribers of the New Orphans' Asylum of colored children, in the city of Cincinnati."

SEC. 1. *Be it enacted by the General Assembly of the State of Ohio,* That all persons who shall subscribe and pay, each the sum of ten dollars at one time, or in such installments as the board of trustees may determine, shall be life members of the corporation created by the act hereby amended; and all persons who may subscribe and pay, annually, if males, the sum of one dollar each, and if females, the sum of fifty cents each, shall be members so long as they shall regularly pay such subscription; but no person not a life member shall be entitled to vote at any annual election, unless he or she shall have paid the amount of his or her subscription for the year next ensuing, on or before the fifth day of April next preceding such election.

SEC. 2. The board of trustees shall have the custody and control of all children admitted into said asylum, until they shall attain, if females, the age of sixteen years, and if males, the age of eighteen years; and if any child, admitted into said asylum, shall signify to said board of trustees a desire to continue therein after attaining said age, the said board of trustees may consent thereto: and, in such case, the child electing to remain shall continue under the custody and control of said board of trustees, until the age of majority as established by law; but nothing herein contained shall prevent said board of trustees from discharging any beneficiary of said asylum for mal-conduct or immoral character, or shall prevent the discharge of any person from said asylum, upon complaint made as in case of the apprentices.

SEC. 3. So much of the act hereby amended as is inconsistent with the provisions of this act is repealed.

WILLIAM P. OUTLER,  
*Speaker of the House of Representatives.*  
EDSON B. OLDS,  
*Speaker of the Senate.*

February 3, 1847.

## AN ACT

To change the name of the Presbyterian Church and Congregation of Delhi.

SEC. 1. *Be it enacted by the General Assembly of the State of Ohio,* That the corporate name of the Presbyterian Church and Congregation of Delhi, incorporated by an act of the general assembly passed February sixth, one thousand eight hundred and thirty-three, be and the same is hereby changed to the name of the Presbyterian Church and Congregation of Storr's township, in Hamilton county.

WILLIAM P. CUTLER,  
*Speaker of the House of Representatives.*  
EDSON B. OLDS,  
*Speaker of the Senate.*

February 5, 1847.

## AN ACT

To incorporate the Cleveland Horticultural Society.

SEC. 1. *Be it enacted by the General Assembly of the State of Ohio,* That George Hoadly, Jared P. Kirtland, Henry H. Coit, Charles D. Brayton, S. H. Webb, Henry F. Brayton, James F. Hanks, William Case, Eleazer Cable, Alexander McIntosh, Frederick R. Elliott, James Houghton, Horace A. Ackley, George C. Dodge, Henry B. Payne, Moses C. Younglove, Thomas Brown, William D. Beattie, John M. Sterling, Irad Kelley, and Ahimaaz Sherwin, their associates and successors, be and they are hereby incorporated by the name and style of the Cleveland Horticultural Society, for the purpose of improving the science and art of horticulture; with power to make bylaws, not inconsistent with the laws of the state, for the regulation of said society; to lay and collect assessments on the members not exceeding two dollars annually, to enforce the payment thereof by suit; to purchase, receive, hold, and convey, real and personal estate not exceeding ten thousand dollars in value, proper to effect the object of said society; to elect officers and appoint agents to carry on their business; to commence and defend suits, and to have a corporate seal.

SEC. 2. That the president and recording secretary shall have power to call a meeting of the members in order to organize the corporation under this act, giving at least five days' notice of the time and place of meeting in one or more newspapers published in the city of Cleveland.

WILLIAM P. GUTLER,

*Speaker of the House of Representatives.*

EDSON B. OLDS,

*Speaker of the Senate.*

February 5, 1847.

## AN ACT

To lay out and establish a graded State road from Coshocton, in Coshocton county, to Canal Dover, in Tuscarawas county.

SEC. 1. *Be it enacted by the General Assembly of the State of Ohio,* That Peter Shepler and Kinsey Weggins, of Coshocton county, and Jacob Blickensderfer, Sen., of Tuscarawas county, be and they are hereby appointed commissioners to lay out and establish a graded state road commencing at Coshocton, in Coshocton county; thence the nearest and best route, keeping on the west side of the Tuscarawas river to Canal Dover, in Tuscarawas county.

SEC. 2. That the said commissioners shall select some suitable person to act as surveyor in the location of said road, and that they shall be governed in all respects by the law now in force establishing state roads, passed March fourteenth, one thousand eight hundred and thirty-one, and the acts amendatory thereto.

SEC. 3. That should any vacancy occur in any of the foregoing appointments, by death, refusal to serve, or otherwise, the commissioners of the county in which such vacancy may occur, on being notified thereof, shall forthwith fill the same.

WILLIAM P. CUTLER,  
*Speaker of the House of Representatives.*  
 EDSON B. OLDS,  
*Speaker of the Senate.*

February 5, 1847.

---

AN ACT

To amend the "act to incorporate the town of Barnesville, in Belmont county," passed March 7, 1835.

SEC. 1. *Be it enacted by the General Assembly of the State of Ohio,* That for the purpose of more effectually preserving the peace, good order, and well being of the town of Barnesville, in Belmont county, it shall not be lawful for the town council of said town to grant licenses for the keeping of coffee houses, taverns or groceries, or for the sale of spirituous, vinous, malt or fermented liquors.

SEC. 2. The town council of said town shall have power to prohibit the sale of spirituous, vinous, malt and fermented liquors, in any quantity, within the limits of said town, and to punish persons violating such prohibition in the same manner and to the same extent that said town may punish other offences under the act to which this is amendatory.

SEC. 3. The town council of said town shall have power, upon application of any citizen, of good moral character, to grant licenses upon such reasonable terms as they may see proper, for the sale of spirituous, vinous, malt or fermented liquors, by quantity not less than one quart, for mechanical, medicinal or chemical purposes, and for the sale of vinous liquors for the use of churches in celebrating the Lord's supper; and the said council may pass the necessary laws for the regulation of such licensed houses, and to guard against the improper abuse of the license.

SEC. 4. Nothing in this act contained shall be so construed as to take away from the court of common pleas the power to license taverns within said town, or the power to punish persons offending against any of the laws of the state.

SEC. 5. This act shall take effect and be in force from and after the first day of April next.

WILLIAM P. CUTLER,  
*Speaker of the House of Representatives.*  
 EDSON B. OLDS,  
*Speaker of the Senate.*

February 5, 1847.

## AN ACT

To incorporate the Columbus, Harrisburg, Mt. Sterling and Washington Turnpike Road Company.

SEC. 1. *Be it enacted by the General Assembly of the State of Ohio,* That James T. Worthington, George Hornbeck, Sanford Haines, N. R. Stanford, Joseph Young, James Baker, R. W. Evans, W. H. Alkin, George Chappell, W. D. Wood, Charles W. Cozzens, Addin Young, Abijah Timmons, E. Bodman, Jared Buel, Wm. Hardin, C. P. Taylor, S. S. Beale, William Nixon, of the county of Madison, Batteal Harrison, James Piercel, Micajah Draper, Daniel McLean and Wm. A. Ustick, of the county of Fayette, and their associates and successors, be and they are hereby created a body politic and corporate, by the name and style of the Columbus, Harrisburg, Mt. Sterling and Washington Turnpike Road Company, for the purpose of constructing a road from the city of Columbus, through Harrisburg, in Franklin county, and Mt. Sterling, in Madison county, to Washington, in Fayette county; which company shall have all the rights, privileges and powers, and be subject to all the restrictions defined in the "act to provide for the regulation of turnpike companies," passed January seventh, one thousand eight hundred and seventeen, and the several acts amendatory thereto, except so far as the same may be modified or changed by the provisions of this act.

SEC. 2. The capital stock of said company may be one hundred and fifty thousand dollars, divided into shares of twenty-five dollars each.

WILLIAM P. CUTLER,

*Speaker of the House of Representatives.*

EDSON B. OLDS,

*Speaker of the Senate.*

February 5, 1847.

## AN ACT

To amend an act entitled "An act to incorporate the Directors of the Wesleyan Cemetery of Cincinnati," passed February 9, 1843.

SEC. 1. *Be it enacted by the General Assembly of the State of Ohio,* That the directors of the Wesleyan Cemetery of Cincinnati, and their successors in office, be authorized to hold by purchase, gift or devise, not exceeding fifty acres of land, including that now held by the said corporation, being the same as originally purchased, laid out and dedicated to the purpose of a rural cemetery or burying ground; the whole of which shall be appropriated to the same use, and shall be exempted from taxation and execution, and from any appropriation to any public purpose whatever.

WILLIAM P. CUTLER,

*Speaker of the House of Representatives.*

EDSON B. OLDS,

*Speaker of the Senate.*

February 5, 1847.

## AN ACT

To lay out and establish a graded State road from Leesburg, in Carroll county, to Zoar, in Tuscarawas county.

SEC. 1. *Be it enacted by the General Assembly of the State of Ohio,* That Lewis F. Benk and John C. Rickey, of Tuscarawas county, and Mahlon Stewart of Carroll county, be and they are hereby appointed commissioners to lay out and establish a graded state road from Leesburg, in Carroll county, thence down the Gnadenhutten creek to Forbes' mill; thence across said creek and down it on the east side thereof, to New Cumberland, in Tuscarawas county; from thence by McFarland's mill to the town of Zoar; Provided, that the grade of said road shall in no place exceed an elevation of five degrees.

SEC. 2. That said commissioners hereby appointed shall have power to vacate any portion of the old roads running parallel with said road, and rendered unnecessary by the creation of said new road; also, to extend any road leading from said roads thereby vacated in such manner as to intersect the said new road.

SEC. 3. Said commissioners shall have power to receive donations in either money or property, to aid in the construction of said road, and shall meet at the town of Leesburg on or before the first day of May, A. D. one thousand eight hundred and forty-seven, and proceed to the establishment of said road.

SEC. 4. That the commissioners aforesaid shall be governed in all respects by the law now in force defining the mode of laying out and establishing state roads, passed March fourteen, one thousand eight hundred and thirty-two, and all acts amendatory thereto. Should either of the commissioners die or refuse to serve, or remove out of their respective counties, the commissioners of the county where said vacancy may happen, shall, on application being made, fill such vacancy as often as it may occur.

WILLIAM P. CUTLER,

*Speaker of the House of Representatives.*

EDSON B. OLDS,

*Speaker of the Senate.*

February 5, 1847

## AN ACT

To amend "an act to authorize the County Commissioners of Hardin county to subscribe to the capital stock of the Mad River and Lake Erie Railroad Company, and to convey certain lots," passed March 16, 1839.

SEC. 1. *Be it enacted by the General Assembly of the State of Ohio,* That, hereafter, the commissioners of Hardin county shall not levy or collect, under or by virtue of the provisions of the act to which this is an amendment, any tax on such property, subject to taxation, as may be situated within any part of the present limits of Wyandott county: Provided, that, before any property shall be exempted from taxation, by virtue of the provisions of this act, the commissioners of Wyandott county shall relin-

quish and convey to the commissioners of Hardin county, and their successors in office, for the benefit of the people of said county, all stock in said railroad company, and all rights, property and interest, acquired or to be acquired by said county of Wyandott, or any part thereof, or by any of the inhabitants thereof, under or by virtue of the provisions of said act; and the commissioners of the said county of Wyandott are hereby authorized and empowered to make any and all such conveyances as may be necessary or proper to carry into effect the provisions of this act: provided, also, that the commissioners of Hardin county shall accept such conveyance or conveyances, so made by the commissioners of Wyandott county, before the same shall be valid, or operate to release any property from taxation, under the provisions of the act to which this is an amendment.

SEC. 2. It shall be the duty of the auditor of Hardin county, whenever he may be so directed by the commissioners of said county, to transmit to the auditor of Wyandott county a statement of all taxes assessed under the provisions of the act to which this is amendatory, on property now within the present boundaries of said county of Wyandott, which may remain due and unpaid after the first day of March, eighteen hundred and forty-seven; and it shall be the duty of the auditor of Wyandott county to place said list of taxes upon the duplicate for said county, and it shall be the duty of the treasurer of said county of Wyandott to collect the same as other taxes.

WILLIAM P. CUTLER,  
*Speaker of the House of Representatives.*  
EDSON B. OLDS,  
*Speaker of the Senate.*

February 5, 1847.

#### AN ACT

To detach certain sections from Ashland county, and attach the same to Richland county.

SEC. 1. *Be it enacted by the General Assembly of the State of Ohio,* That sections one, two, eleven, twelve, thirteen and fourteen, which were, previous to the erection of the county of Ashland, a part of the township of Monroe, in Richland county, and at this time a part of Green township, Ashland county, be and the same are hereby detached from said county of Ashland, and attached to Monroe township, in Richland county; also, that the parts of the following sections, to wit: the southwest quarter of section three, and the southeast quarter and the northwest quarter of section four, all of township twenty-three and range seventeen, be and the same are hereby detached from the county of Ashland and attached to the county of Richland, and made a part of the township in Richland county from which the same was taken when Ashland county was created.

WILLIAM P. CUTLER,  
*Speaker of the House of Representatives.*  
EDSON B. OLDS,  
*Speaker of the Senate.*

February 5, 1847.

## AN ACT

To amend the "act incorporating the city of Cincinnati," passed March 1, 1834, and the several acts amendatory thereto.

SEC. 1. *Be it enacted by the General Assembly of the State of Ohio,* That, from and after the passage of this act, the city council of the city of Cincinnati shall have no power to charge for any license, issued to the owner of any cart, wagon, dray, or other vehicle, in said city, more than the reasonable costs and charge of the officer or officers issuing the same, which shall, in no case, exceed the sum of one dollar; nor shall the said city council have power to lay any tax, duty or excise, general or special, upon any person owning or using any cart, wagon, dray, or other vehicle, in said city, for the ownership or use thereof.

SEC. 2. That nothing contained in the acts to which this is amendatory shall be construed as conferring any power upon said city of Cincinnati to charge more than one dollar for issuing any license, or to lay any tax or excise, as aforesaid.

SEC. 3. That the corporate authorities of the city aforesaid shall have no power hereafter to enforce, pass or establish, any ordinance providing for the compulsory weighing, measuring or inspection of any article sold within the limits of said city, unless such weighing, measuring or inspection be desired by either the seller or purchaser; and all fees allowed to be charged therefor by any ordinance, shall be paid by the person desiring the same.

SEC. 4. All laws and parts of laws repugnant hereto are hereby repealed, or so much thereof as conflicts with the provisions of this act.

WILLIAM P. CUTLER,

*Speaker of the House of Representatives.*

EDSON B. OLDS,

*Speaker of the Senate.*

February 5, 1847.

## AN ACT

To revive and amend an act entitled "an act to lay out and establish a State road in the counties of Vanwert and Paulding."

SEC. 1. *Be it enacted by the General Assembly of the State of Ohio,* That the act entitled "an act to lay out and establish a state road in the counties of Vanwert and Paulding," be and the same is hereby revived and declared to be in full force.

SEC. 2. That Bernard B. Woodcock, of Paulding county, be and he is hereby appointed one of the commissioners to lay out and establish said road, in the place of Thomas D. Schroufe.

SEC. 3. This act to be in force from and after its passage.

WILLIAM P. CUTLER,

*Speaker of the House of Representatives.*

EDSON B. OLDS,

*Speaker of the Senate.*

February 5, 1847.



## AN ACT

To lay out and establish a Free Turnpike Road from Port Washington, in Tuscarawas county, to Newtown, in said county.

SEC. 1. *Be it enacted by the General Assembly of the State of Ohio,* That John Knight, Thomas Moore, Paul Weatherby, and George W. Dingmon, of the county of Tuscarawas, be appointed commissioners to lay out and establish a free turnpike road, commencing at Port Washington, in Tuscarawas county, and thence the nearest and best route to Newtown, in said county; which road shall be constructed, repaired and preserved, in the manner pointed out in the general act to provide for laying out and establishing free turnpike roads, passed March twelfth, one thousand eight hundred and forty-five, and the acts amendatory thereto.

SEC. 2. That said commissioners shall be governed, in all their proceedings, by the provisions of the acts mentioned in the first section of this act.

WILLIAM P. CUTLER,  
*Speaker of the House of Representatives.*  
EDSON B. OLDS,  
*Speaker of the Senate.*

February 5, 1847.

## AN ACT

To amend the act entitled "An act to incorporate the town of Milton," passed March the 7, 1835.

SEC. 1. *Be it enacted by the General Assembly of the State of Ohio,* That so much territory in the township of Union, in the county of Miami, as is composed and included within the following boundaries, to wit: Beginning at the section line, on the west side of section twenty-one, at the half section line; thence north, with the section line, to the north side of out-lot number eleven; thence east, with said line, within four rods of Jefferson street; thence south, to the north line of out-lot number ten; thence east, to Jefferson street; thence north, with said street, to the north line of out-lot number eleven, to Washington street; thence south, to the south side of North street; thence east, to the river; thence down the river, to the half section line; thence west, with said line, to the place of beginning, be and the same is hereby created a town corporate, by the name of the town of Milton.

SEC. 2. The town council shall have power, by ordinance or ordinances duly published, to require all owners of a lot or part of a lot, in said town, to make pavements or sidewalks, of such width and on such streets, and in conformity with such grades, as the town council shall direct, and with good and sufficient curbing thereto; and, also, to make such suitable and substantial gutters, in front of such pavements or sidewalks, as said town council may direct; and, also, to alter, amend or repair such pavements; sidewalks, curbing and gutters, as now are or may hereafter be made or constructed.

SEC. 3. If any owner or owners of a lot or part of a lot, or lots as aforesaid, within said town, shall neglect or refuse to construct or make a pavement, sidewalk or gutter, with the necessary curbing, or to alter, amend or repair the same, when required so to do, in accordance with the preceding section of this act, and within the time prescribed by the town council, the said town council may then proceed to construct and make such pavement, sidewalk or gutter, with the necessary curbing, or to alter, amend or repair the same, and may recover the costs and expenses thereof against the proprietor, if a resident, by action of assumpsit, in any court having cognizance thereof, with costs of suit; and if the proprietor be a non-resident, the cost and expense thereof shall be assessed as a tax on the premises, and the amount thereof certified by the mayor and recorder, and shall be given to the marshal, or other officer, whose duty it shall be to collect the tax levied by the town council, who shall proceed to collect and pay over the same, in the same manner that taxes are collected and paid over by him, with the same power, and under the same limitations, as other corporation taxes of said town are, by the twelfth section of the act to which this is an amendment, collected and paid over.

SEC. 4. That on such day as shall be agreed upon by the mayor and town council of said town of Milton, of which time twenty days' previous notice shall be given by the mayor of said town by advertisement, by written notices put up in said town, the qualified electors residing within the corporate limits of said town, shall ballot for or against the acceptance of this act, by indorsing on their ballots, either "Accept," or "Not accept," which said balloting shall proceed according to, and be governed by the laws in force regulating elections held in said corporation; and if more than one-third of the ballots, deposited in accordance with the foregoing provisions, are indorsed, "Not accept," then this act shall be void and of no effect.

SEC. 5. The said town council shall have power to regulate, by good and wholesome laws and ordinances for that purpose, all theatrical exhibitions and public shows, and all exhibitions of any manner or kind to which admission shall be obtained by the payment of money or other reward, having power to grant or refuse license thereto; and before granting any such license, it shall be lawful for said town council to exact, demand and receive therefor, such sum or sums of money as they shall deem proper and expedient, and annex thereto such reasonable terms and conditions in regard to time, place and other circumstances under which such license shall be acted upon, as, in their opinion, the peace quiet and good order of society in said town may require; and for the violation of such reasonable terms and conditions, as aforesaid, the mayor shall have power to revoke or suspend such license in such manner as shall be provided for by ordinance.

SEC. 6. That so much of the act to which this is an amendment as conflicts with the provisions of this act, passed March the seventh, one thousand eight hundred and thirty-five, be and the same is hereby repealed.

WILLIAM P. CUTLER,

*Speaker of the House of Representatives.*

EDSON B. OLDS,

*Speaker of the Senate.*

February 5, 1847.

## AN ACT

To authorize the sale and conveyance of certain lots in Mansfield, Richland county.

WHEREAS, there are two blocks or squares of land situated, one on the northeast corner of the original town plat of the town of Mansfield, Richland county, Ohio, marked, on the original recorded plat of said town, with the letter B, bounded on the south by Fourth street, and on the west by Water street, and on the north and east by an alley twenty feet wide: the other, situated on the northwest corner of said original town plat, marked, on the said recorded original town plat, with the letter C, bounded on the south by Fourth street, on the east by Mulberry street, and on the north and west by an alley twenty feet wide; which said squares were, by the original proprietors of the said town of Mansfield, and by an act of the Legislature of the State of Ohio, passed February eighth, one thousand eight hundred and nineteen, appropriated for the future disposal, for the use of schools: And, whereas, the said squares are so situated as to be of little value for school purposes in said town; therefore,

SEC. 1. *Be it enacted by the General Assembly of the State of Ohio,* That the court of common pleas within and for said county of Richland, are hereby authorized and required, at the next term of said court, to appoint some suitable person to proceed, under the order of said court, to sell and convey the said squares or blocks of land, at public or private sale, either in whole or in parts, as may be deemed most proper, and on such terms and credits as the said court shall direct; and the said court are hereby authorized to empower said person, making said sale or sales, (after the same shall be approved by said court,) to make all the deeds and conveyances necessary for vesting a good title in fee simple in the purchaser or purchasers; and the person making said sale or sales shall be allowed such compensation for his services as the court shall deem just and right.

SEC. 2. The proceeds of the sale or sales of said squares or blocks of land shall be by the persons making the same, equally divided between the three districts into which the said original town of Mansfield is now divided, to be by them expended in the purchase of sites and erection of school houses in their respective districts, and for no other purpose; Provided, that nothing in this act shall be so construed as to prevent either of the districts in the town of Mansfield from purchasing any part or all of said squares that may be within their respective districts, the same as any other purchaser, and building therein and appropriating for said purchase their share of the proceeds of the sale or sales of said lots as aforesaid.

WILLIAM P. CUTLER,

*Speaker of the House of Representatives.*

EDSON B. OLDS,

*Speaker of the Senate.*

February 5, 1847.

## AN ACT

To incorporate the Princeton and Port Union Turnpike Road Company.

SEC. 1. *Be it enacted by the General Assembly of the State of Ohio,* That John Cochran, Samuel McLean, and Aaron Brown, Esq., of Hamilton county; and Robert McClelland, James Patchell, David Pierce, Cornelius Murphy, Benjamin Sweet, Micajah Hughes, and James Ayres, of Butler county, and their associates, be and the same are hereby created a body corporate, under the name of the Princeton and Port Union Turnpike Company, for the purpose of constructing a turnpike road, to commence at or near the eleven mile house, in Hamilton county, on the turnpike road from Hamilton, in Butler county, to Carthage, in Hamilton county; thence to Port Union, in Butler county; thence to Princeton; thence the most practicable route, to intersect the Middletown and Westchester Turnpike Road, near Gregory's ford, in said county: which company shall have all the rights, privileges and powers, and be subject to all the restrictions, defined in the "act to provide for the regulation of turnpike companies," passed January seventh, one thousand eight hundred and seventeen, and the several acts amendatory thereto, except in so far as the same may be modified or changed by the special provisions of this act.

SEC. 2. The capital stock of said company may be fifty thousand dollars, divided into shares of fifty dollars each.

SEC. 3. That as soon as fifty shares shall be subscribed, the commissioners, in this act named, shall call a meeting of the stockholders, in the manner prescribed by the third section of the said "act to provide for the regulation of turnpike companies," for the election of five directors, for the government of said company.

WILLIAM P. CUTLER,  
*Speaker of the House of Representatives.*  
EDSON B. OLDS,  
*Speaker of the Senate.*

February 5, 1847.

## AN ACT

To incorporate the Urbana Cemetery Association.

SEC. 1. *Be it enacted by the General Assembly of the State of Ohio,* That Jacob Kauffman, Samuel H. Robinson, David Gwynne, John H. Young, John Hamilton, Joshua Saxton, William H. Harbach, and their associates and successors, be and they are hereby constituted a body corporate, under the name of the Urbana Cemetery Association; by which name they shall have power to contract and be contracted with, sue and be sued, have and use a corporate seal, make and alter bylaws, and do all other acts and things necessary and proper for effecting the object of their incorporation, which is to provide a place of repose for the dead.

SEC. 2. Any person may become a member of this corporation by becoming the owner of one or more cemetery lots, as the same shall be laid off by the board of directors; and the ownership of a lot shall entitle the owner or owners thereof to one vote at all meetings, but no member shall have more than one vote.

SEC. 3. The affairs of this corporation shall be managed by a board of directors, consisting of five members of the corporation, to be elected, by ballot, by the corporators, and to receive a majority of the votes. The first election shall be held at a time and place to be designated by the persons above specifically named as corporators, who shall be commissioners for organizing the corporation, of which election the same notice shall be given as herein provided for other elections; and the directors shall hold their office for the term of one year, and until their successors are elected and qualified, and all vacancies, previously existing, shall be supplied by the board of directors; and a quorum of the board, for all purposes, shall be at least three persons.

SEC. 4. The annual meeting, for the election of directors, shall be held on the first Monday of October, in each year; but special meetings may be called by the president, at the request, in writing, of two members; of which, as well as of the annual meeting, three days' notice shall be given.

SEC. 5. The board of directors shall, at their first meeting after each annual election, elect, by ballot, a president from their own body, and two persons from the members of the corporation, to act as secretary and treasurer: these officers shall hold their offices for one year, and until their successors shall be appointed and qualified; and the treasurer shall give bond, with surety, to be approved by the board, in such sum as the bylaws shall direct, for the faithful performance of his duties.

SEC. 6. The corporation is authorized to purchase, or take by gift or devise, and hold land, exempt from execution and taxation, and from any appropriation to public purposes, for the sole purpose of a cemetery, not exceeding thirty acres. After paying for such land, all future receipts, whether from the sale of lots, from donations, or otherwise, shall be applied, exclusively, under the direction of the board, to laying out, preserving, protecting and embellishing the cemetery and the avenues leading thereto, and to paying the necessary expenses of the corporation. No debt shall be contracted in anticipation of future receipts, except for originally laying out, enclosing and embellishing the grounds and avenues, for which debts may be contracted, not exceeding one thousand dollars in the whole, to be paid out of the future receipts; and the board of directors shall have power to appropriate lots for the interment of such persons, not members, as they may see proper, either by donations, sales, or other modes of transfer.

SEC. 7. The original conveyances of lots from the corporation to individuals, shall be evidenced by a certificate, signed by the president and countersigned by the secretary, under the seal of the corporation, specifying that such a person is owner of such a lot; and such a certificate shall vest in the proprietor, his heirs and assigns, a perpetual right to the use of such lot, exempt from execution, attachment or taxation, for the sole purpose of interment, under the regulations of the corporation; or be transferred by him to others, either in whole or in part, for that sole purpose,

with the assent of the board ; and in case of such transfer from a member or members to another person, it shall be made in writing, in a book of the corporation, to be kept for that purpose ; whereupon, the former certificate shall be surrendered, and a new one issued to the transferee, for the whole or part thereof, as the case may require.

SEC. 8. For the purpose of convenient selection and description, the board of directors shall cause a plat to be made of the lots to be disposed of for interment, designating such lots by consecutive numbers, which plat shall be recorded on the books of the corporation. The original choice of lots, between those who shall have subscribed and paid for them prior to the time of making the selection, shall be determined by lot, in such manner as the board of directors shall prescribe ; and after the original selection shall have been thus determined, future purchasers may select from the lots not previously appropriated.

SEC. 9. The board of directors shall have power to enclose, improve, and adorn the grounds and avenues, and to erect buildings for the general use of the corporation, and to prescribe rules for the enclosing, adorning, and erecting monuments in the cemetery lots, and to prohibit any use, division, improvement, or adornment of a lot, which they may deem improper ; and they shall make report of their doings to each annual meeting of the corporation.

SEC. 10. Any person who shall willfully destroy, deface, or injure, or remove any tomb, monument, or gravestone, or other structure placed in the cemetery aforesaid, or any fence, railing, or other works for the protection or ornament of said cemetery, or of any tomb, monument, or gravestone, or other structure aforesaid, or of any cemetery lot within the cemetery aforesaid ; or shall willfully destroy, cut, break, or injure any tree, shrub, or plant, within the limits of the said cemetery, shall be deemed guilty of a misdemeanor, and shall, upon conviction thereof, before any court of competent jurisdiction, be punished by fine of not less than five dollars nor more than five hundred dollars, and by imprisonment in the county jail, for a term not less than one nor more than thirty days, according to the nature and aggravation of the offence ; and such offender shall also be liable, in an action of trespass, in the name of said corporation, to pay all such damages as have been occasioned by his unlawful act or acts, which money, when recovered, shall be applied by said corporation, under the direction of the board of directors, to the repair and restoration of the property destroyed or injured as above ; and members of said corporation shall be competent witnesses in said suits.

SEC. 11. This act shall be regarded as a public act.

WILLIAM P. CUTLER,  
*Speaker of the House of Representatives.*  
 EDSON B. OLDS,  
*Speaker of the Senate.*

February 5, 1847.

## AN ACT

To incorporate the Clark and Miami Turnpike Company.

SEC. 1. *Be it enacted by the General Assembly of the State of Ohio,* That Thomas Kizer, Adam Baker, William Overpeck, George Cost, William Spence, James W. Sterritt, of Clark county; and J. S. Sheets, James Hart, James W. Tullis, John G. Telford, William J. Thomas, of Miami county, and their associates and successors, be and they are hereby created a body politic and corporate by the name of the "Clark and Miami Turnpike Company," for the purpose of constructing a turnpike road from Springfield, in Clark county, by the best and most practicable route, to the town of Northampton, and from thence to Troy, in Miami county; which company shall have all the privileges, rights and powers, and be subject to all of the restrictions defined in the "act to provide for the regulation of turnpike road companies," passed January seventh, one thousand eight hundred and seventeen, and the several acts amendatory thereto, except so far as the same may be modified or changed by the provisions of this act.

SEC. 2. The capital stock of said company may be fifty thousand dollars, divided into shares of twenty-five dollars each.

SEC. 3. That for the purpose of enabling said company to make said road, and afterwards to keep the same in repair, the said company and their agents are hereby authorized to enter upon any improved land, unincumbered by a crop, near or adjoining said road, and dig or quarry and carry away any stone, gravel or sand which may be necessary to complete or keep in repair said road.

SEC. 4. If any difference shall arise between said company or their agents, and the owner or occupier of any such land as the said company or their agents shall enter upon to obtain materials as aforesaid, as to the amount of damages done in procuring said materials, the same shall be determined by three disinterested freeholders of the county, to be chosen, one by each party, and the two so chosen to choose a third; and the amount so allowed by such arbitrators, shall be paid by said company. But if such owner or owners, or said company, shall refuse or neglect to join in such choice, it shall be lawful for the other party to apply to any justice of the peace of the township in which the land may be, whose duty it shall be, upon such application, to appoint three disinterested freeholders for the purposes aforesaid.

SEC. 5. That the Little Miami rail road company be and are hereby authorized to subscribe for such amount of said stock in said turnpike company as the said Little Miami rail road company deem expedient.

WILLIAM P. CUTLER,

*Speaker of the House of Representatives.*

EDSON B. OLDS,

*Speaker of the Senate.*

February 5, 1847.

## AN ACT

To authorize and empower the fund commissioners of Hamilton county to sell and convey a certain lot in the city of Cincinnati.

SEC. 1. *Be it enacted by the General Assembly of the State of Ohio,* That the fund commissioners of Hamilton county be and they are hereby authorized and empowered to sell and dispose of, at either public or private sale, and for such sum, and on such terms as they may think best for the interest of the fund under their control, all that certain lot or parcel of land situate, lying and being in the city of Cincinnati, in the county of Hamilton, and state of Ohio, bounded and described as follows: Commencing at a point in the east line of Main street, at the northwest corner of Easton's brick house, forty-nine feet and nine inches north of the southwest corner of in-lot number ninety-five; thence north, on Main street, twenty feet; thence easterly, parallel to the south line of said in-lot, ninety feet, to an eleven-foot alley; thence southerly, parallel to Main street, twenty feet; thence westerly, parallel to south line of in-lot, ninety feet, to the place of beginning, being part of in-lot number ninety-five.

SEC. 2. *Be it further enacted,* that the said fund commissioners, on behalf of the state of Ohio, are hereby authorized and empowered to convey to the purchaser or purchasers the said premises, by a deed in fee simple, and to take a bond with a mortgage for the premises, in the name of the state of Ohio, to secure the payment of any portion of the purchase money for the same, at seven per cent. interest, payable half yearly in advance.

WILLIAM P. CUTLER,  
*Speaker of the House of Representatives.*  
EDSON B. OLDS,  
*Speaker of the Senate.*

February 5, 1847.

## AN ACT

Relating to taxes in the county of Hamilton, and the southern precinct in Mill Creek township.

SEC. 1. *Be it enacted by the General Assembly of the State of Ohio,* That so much of said acts as apply to the special road district in the southern part of Mill Creek township, Hamilton county, be and the same are hereby repealed: Provided, that the commissioners for the said special road district shall not, under the provisions of the thirteenth section of the act entitled "an act to amend an act entitled an act to establish grades and enforce the paving and McAdamizing of streets, roads, lanes and alleys in the southern precinct of Mill Creek township, Hamilton county, Ohio," passed March six, one thousand eight hundred and forty-four, determine upon any higher per centum than three mills on the dollar for taxation in said district.

SEC. 2. That hereafter it shall not be lawful for the trustees of the several townships in the county of Hamilton, in levying a tax under the provisions of the before recited acts, to levy a tax, in any one year, exceeding one mill on the dollar, nor less than one half mill on the dollar; that



so much of said acts as conflict with the provisions of this act be and the same is hereby repealed.

SEC. 3. The county commissioners of the county of Hamilton shall not, hereafter, in determining the amount to be raised for county of [and] bridge purposes, according to the fifty-fifth section of the act entitled "an act for levying taxes on all property in this state according to its true value," determine upon a larger amount for bridge purposes than seven thousand dollars, nor more than twenty-five thousand dollars for county purposes generally.

WILLIAM P. GUTLER,  
*Speaker of the House of Representatives.*  
EDSON B. OLDS,  
*Speaker of the Senate.*

February 5, 1847.

---

AN ACT

To amend the "act to incorporate the Gallia, Jackson, and Chillicothe Turnpike Company," passed February 11, 1846.

SEC. 1. *Be it enacted by the General Assembly of the State of Ohio,* That at any annual election for directors of the Gallia, Jackson, and Chillicothe Turnpike Company, hereafter to be held, the stockholders of said company may, if they deem it expedient, increase the number of directors to nine; in which case, three of said directors shall be residents of each of the counties through which any part of said turnpike route may pass.

SEC. 2. That all amounts subscribed to the capital stock of said company, shall be expended in such county or counties as the stockholders shall designate at the time of subscribing; but if such designation shall not be so made, the directors may expend the same in such county or place as they may deem expedient.

SEC. 3. That if the board of directors of said company shall hereafter be increased to the number of nine, pursuant to the provisions of the first section of this act, the president of said company, and the three directors residing in any county through which any part of said turnpike route may pass, shall have power to make contracts and do all business in relation to the construction, repair and management, of so much of said turnpike road as may be within the limits of such county: Provided, that no contract, so made, shall bind, or make liable to the payment of any debt, any of the property or effects of said company, except the stock subscribed and donations made to said company by citizens of such county, and so much of the turnpike road as lies within the limits of such county.

SEC. 4. That the directors of said turnpike company may lay out and locate said turnpike road from Nehemiah Atwood's, in Gallia county, to the town of Jackson, in Jackson county, on such ground as they may deem expedient, without reference to intermediate points, anything in the act to which this is an amendment to the contrary notwithstanding.

WILLIAM P. CUTLER,  
*Speaker of the House of Representatives.*  
EDSON B. OLDS,  
*Speaker of the Senate.*

February 5, 1847.

## AN ACT

To legalize the proceedings of the Commissioners appointed to relocate a portion of the Brunersburg, Evansport and Lockport Free Turnpike Road, in Defiance county.

SEC. 1. *Be it enacted by the General Assembly of the State of Ohio,* That the proceedings of the commissioners appointed by an act entitled "an act to appoint commissioners to relocate a portion of the Brunersburg, Evansport and Lockport Free Turnpike Road, in Defiance county," passed January thirty-one, one thousand eight hundred and forty-six, are hereby legalized and confirmed.

WILLIAM P. CUTLER,  
*Speaker of the House of Representatives.*  
EDSON B. OLDS,  
*Speaker of the Senate.*

February 5, 1947.

## AN ACT

To authorize the Commissioners of Logan county to apportion Road Tax amongst Free Turnpike Roads, in said county.

SEC. 1. *Be it enacted by the General Assembly of the State of Ohio,* That the commissioners of Logan county be and they are hereby authorized to apportion amongst the several free turnpike roads, within five miles of Bellefontaine, terminating in or passing through Bellefontaine, in Logan county, all road taxes now by law directed to be applied to the construction or repair of any of said roads, and also all labor which may be applied in discharge of said taxes; and said commissioners are hereby authorized to direct how much of said tax shall be applied to any one or all of said roads, to which of said roads the same shall be appropriated and applied, the taxes of what persons shall be applied to any one of such roads, and to which one of such roads; and they shall make an order, particularly specifying the same, on the record of their proceedings, at any regular session of their board, in March or June of any year; and all such taxes shall be levied and collected in the manner they are now levied and collected, but they shall be paid over to such officers of any one of said roads as such commissioners may direct: Provided, that said commissioners, in making such apportionment, shall make reasonable provisions, out of the taxes now applicable to any one of said roads, for the payment of any liabilities incurred by any of said roads, in said county of Logan.

SEC. 2. The said taxes, so apportioned or directed to be applied for the benefit of any one of said roads, may be paid and discharged in labor, in the same manner as they now may be by law; but they shall be paid in labor only to such road, or the officers thereof, as the said taxes may be apportioned to or be directed to be applied to.

SEC. 3. This law shall not be construed as authorizing said commissioners to reduce the amount of taxes now levied for the benefit of said roads, or to exempt any person chargeable with such road tax, from the payment thereof.

SEC. 4. All of said taxes shall be levied, collected, paid and applied in the manner now provided by law, except in so far as the same may be otherwise directed by said commissioners, under or by virtue of this act.

SEC. 5. All acts or parts of acts conflicting with the provisions of this act, are hereby repealed.

SEC. 6. This act shall take effect and be in force from and after its passage.

WILLIAM P. CUTLER,  
*Speaker of the House of Representatives.*  
EDSON B. OLDS,  
*Speaker of the Senate.*

February 5, 1847.

#### AN ACT

Further to amend the act entitled "An act to incorporate the borough of Ashtabula."

SEC. 1. *Be it enacted by the General Assembly of the State of Ohio,* That from and after the passage of this act, the southern boundary line of the borough of Ashtabula, in the township of Ashtabula, in Ashtabula county, shall be as follows, that is to say: Beginning at the northeast corner of township number twelve, in the third range of townships in the Connecticut Western Reserve; running thence easterly on the north line of said township, being also the north line of lot number one in said township, to the northeast corner of said lot number one; thence southerly, along the line between lots number one and two, in said township twelve, to the southwest corner of M. Hubbard's ninety acre tract, so called; thence easterly, along the south line of said Hubbard's tract, being also the north line of J. F. McDaniel's land and the north line of William Jones' land, to the east line of said borough, at the Ashtabula creek: Provided, that this act shall not be so construed as to discharge the owners of the lands and property, hereby excinded from the heretofore limits of said borough, from any debts, dues, taxes or other liabilities to which the said borough, before the passage of this act, has right, in consequence of their jurisdiction over said lands and property, nor shall the same be discharged hereby from any lien to which said borough, but for the passage of this act, may now be entitled: and provided further, that for the payment of all liabilities of said borough, now existing, the said borough shall have the same right to tax the said lands and property thereon, or owned by persons residing now or hereafter thereon, which said borough would have had but for this act, and also to the same means of levying and collecting such taxes, as if this act had not passed.

WILLIAM P. CUTLER,  
*Speaker of the House of Representatives.*  
EDSON B. OLDS,  
*Speaker of the Senate.*

February 5, 1847.

## AN ACT

To lay out and establish a Free Turnpike Road from the town of Portsmouth, in the county of Scioto, to the town of Hillsborough, in Highland county.

SEC. 1. *Be it enacted by the General Assembly of the State of Ohio,* That William Walter and Peter Noel, of the county of Scioto, and Samuel R. Wood, of the county of Adams, be and are hereby appointed commissioners to lay out and establish a free turnpike road, beginning at the west end of the bridge now building across the Scioto river, at the town of Portsmouth, in the county of Scioto; thence along the heel path of the Ohio canal, where the road now runs, to near where the canal crosses Pond creek; thence, the nearest and best way, to Jacob Hibbs', on said creek; thence along the line of the state road, as near as may be thought practicable, to Locust Grove, in the county of Adams; and thence, along the same state road, as near as may be, to Hillsborough, in the county of Highland; which shall be constructed, repaired and preserved in the manner pointed out in the act passed March the twelfth, one thousand eight hundred and forty-five, entitled "an act to provide for laying out and establishing free turnpike roads," and the act amendatory thereto.

WILLIAM P. CUTLER,

*Speaker of the House of Representatives.*

EDSON B. OLDS,

*Speaker of the Senate.*

February 5, 1847.

## AN ACT

To amend the "act authorizing the city of Cleveland to subscribe to the capital stock of the Cleveland, Columbus and Cincinnati Railroad Company."

SEC. 1. *Be it enacted by the General Assembly of the State of Ohio,* That the commissioners named in the act entitled "An act authorizing the city of Cleveland to subscribe to the capital stock of the Cleveland, Columbus and Cincinnati Railroad Company," or their successors, are hereby authorized and empowered to agree to pay the interest on all or any part of the bonds, scrip or other contracts, which they may issue in payment of any subscription on the part of said city to the capital stock of said railroad, in the city of New York; Provided, however, that before making such agreement, the directors of said railroad company shall agree with said commissioners to repay to said commissioners any premium of exchange which said commissioners may be obliged to pay for the purpose of remitting said interest to the city of New York.

WILLIAM P. CUTLER,

*Speaker of the House of Representatives.*

EDSON B. OLDS,

*Speaker of the Senate.*

February 5, 1847.

## AN ACT

To incorporate certain towns therein named.

SEC. 1. *Be it enacted by the General Assembly of the State of Ohio,* That so much of the township of Washington, in the county of Clermont, as is contained within the town plat of the town of Moscow, is hereby declared a town corporate by the name of the town of Moscow.

SEC. 2. So much of the township of Williamsburgh, in the county of Clermont, as is included in the inlots of the recorded plat of said town of Williamsburgh, together with the fraction between Front street and low-water mark upon the north side of the east fork of the Little Miami river, is hereby declared a town corporate by the name of the town of Williamsburgh.

SEC. 3. So much of the township of Wells, in the county of Jefferson, as is included in the recorded town plat of the village of Lagrange, in said county, is hereby declared a town corporate by the name of the town of Lagrange.

SEC. 4. So much of the township of Perry, in the county of Fairfield, as is contained within the town plat of the town of Perry, as recorded, is hereby declared a town corporate by the corporate name of the town of Perry.

SEC. 5. So much of the township of Salem, in the county of Monroe, as is included within the recorded town plat of the town of Clarington, is hereby declared a town corporate by the corporate name of the town of Clarington.

SEC. 6. So much of the township of Huntington, in the county of Brown, as is included in the following limits, to wit: beginning at the mouth of Fishing Gut, thence up the Ohio, following the meanderings thereof to Jacob Luesby's upper line; thence back to the foot of the hill; thence down the river, following the back line of the lots; thence on a straight line to the bank of Fishing Gut; thence down Fishing Gut, following the meanderings thereof to the Ohio river, is hereby declared a town corporate by the name of the town of Aberdeen.

SEC. 7. That so much of the county of Carroll as is contained in the recorded town plat of the town of New Hagerstown, with all its additions, is hereby created a town corporate by the name of the town of New Hagerstown.

SEC. 8. That so much of the county of Columbiana as is included within the following boundaries, to wit: the north half of section number twenty-nine, township number twelve, and range number three, in said county, is hereby created a town corporate by the name of the town of Salineville.

SEC. 9. The court of common pleas within and for the county of Columbiana, are hereby prohibited from granting a license to vend any intoxicating drinks within the corporation named in the preceding section; and all persons are hereby prohibited from selling, vending or giving away any intoxicating drinks, for dram drinking purposes, within said incorporation. And any person offending against this section, shall be liable for every such offence to a fine of five dollars, to be collected by action before any justice of the peace of the county of Columbiana.

SEC. 10. So much of the township of Bearfield, in the county of Perry, as is included in the recorded plat of the town of Oakfield, is hereby declared a town corporate by the name of the town of Oakfield.

SEC. 11. So much of the township of Paint, in the county of Fayette, as is included in the town plat of the town of Bloominburg, is hereby declared a town corporate by the name of the town of Bloominburg.

SEC. 12. The towns named in the preceding sections of this act, shall severally be entitled to all the privileges, and subject to all the restrictions of the act entitled "An act for the regulation of incorporated towns," passed February sixteenth, one thousand eight hundred and thirty-nine, and the several acts amendatory thereto.

WILLIAM P. CUTLER,

*Speaker of the House of Representatives.*

EDSON B. OLDS,

*Speaker of the Senate.*

February 5, 1847.

#### AN ACT

Supplementary to the act authorizing the city of Dayton to borrow money for certain purposes, passed January 22, 1847.

SEC. 1. *Be it enacted by the General Assembly of the State of Ohio,* That the city of Dayton is hereby authorized to pay any rate of interest not exceeding eight per centum per annum for any loan that may be made by said city under the provisions of the act to which this act is supplementary.

WILLIAM P. CUTLER,

*Speaker of the House of Representatives.*

EDSON B. OLDS,

*Speaker of the Senate.*

February 5, 1847.

#### AN ACT

To authorize the town of Hamilton to borrow money, and for other purposes.

SEC. 1. *Be it enacted by the General Assembly of the State of Ohio,* That the mayor and trustees of the town of Hamilton are hereby authorized and empowered to borrow or procure, on the credit of the corporation of said town of Hamilton, the sum of six thousand dollars, and to loan the said sum to the Hamilton and Rossville Hydraulic Company, for such length of time and at such rate of interest, not exceeding eight per centum per annum, and upon such securities as the said mayor and trustees may deem proper.

SEC. 2. That if the said mayor and trustees shall be required to pay off said loan before the amount loaned by them as aforesaid to the said hydraulic company shall have been reimbursed, they shall have power to raise, annually, the sum of not more than two thousand dollars, by taxation on the real estate within the corporate limits of said town, for the purpose of discharging the said debt, in the same manner that is provided for the levying and collection of corporation taxes.

SEC. 3. That the said mayor and trustees shall have power, if in their discretion they deem it proper so to do, to subscribe the said sum of six thousand dollars in the capital stock of the said hydraulic company, instead of loaning the said sum as aforesaid; which amount, in that event, shall be raised by taxation, agreeably to the provisions of the second section of this act: Provided, that the mayor and trustees of the town of Hamilton shall call an election of the legal voters within the incorporate limits of the said town of Hamilton, by giving fifteen days' previous notice of the same, in two of the newspapers of general circulation in the said town of Hamilton; and at said election the legal voters, resident within the corporate limits of said town of Hamilton, shall decide, by ballot, for or against the levying of a tax; and if a majority of said legal voters shall decide against a tax, then no tax shall be levied by virtue of this act: and provided, further, that before the mayor and trustees shall have power to subscribe or loan money to the said hydraulic company, they shall have the consent of the majority of the legal voters, in the way and manner above specified.

SEC. 4. That the said mayor and trustees shall also have power to sell and convey the in-lots in the "hydraulic addition to the town of Hamilton," belonging to the said town of Hamilton, whenever, in their opinion, it shall be for the interest of the said town to make sale thereof.

WILLIAM P. CUTLER,

*Speaker of the House of Representatives.*

EDSON B. OLDS,

*Speaker of the Senate.*

February 5, 1847.

#### AN ACT

To authorize the sale of the southwest and northeast quarters of Section Sixteen, in Rose township, in Carroll county.

SEC. 1. *Be it enacted by the General Assembly of the State of Ohio,* That the southwest and northeast quarters of section sixteen, in Rose township, in Carroll county, be and the same is hereby authorized to be sold, according to the provisions of the act entitled "an act to regulate the sale of ministerial and school lands, and the surrender of permanent leases thereto," passed February second, one thousand eight hundred and forty-three.

SEC. 2. That no part of said lands shall be sold for a less sum than five dollars per acre, nor less than its appraised value.

WILLIAM P. CUTLER,

*Speaker of the House of Representatives.*

EDSON B. OLDS,

*Speaker of the Senate.*

February 5, 1847.

## AN ACT

To authorize the sale of school lands belonging to the trustees of fractional township number three, in range number fourteen, in the county of Gallia.

SEC. 1. *Be it enacted by the General Assembly of the State of Ohio,* That the east half of the southwest quarter of section number eleven, in township number four, and range number fifteen; the west half of the northeast quarter, and the west half of the southeast quarter of section number eight, in township number seven, range number fifteen; and the west half of the northeast quarter of section number eleven, in township number six, range number fifteen, in the county of Gallia, and within the Ohio Company's purchase, granted by congress to the trustees of fractional township number three, in range number fourteen, in the county of Gallia, for common school purposes, be and the same are hereby authorized to be sold: Provided, that no part thereof shall be sold for less than the appraised value thereof; and such sales shall, in all respects, be governed by the provisions of an act entitled "an act to regulate the sale of ministerial and school lands, and the surrender of permanent leases thereto," passed February second, one thousand eight hundred and forty-three, and in accordance with the act to fix the minimum price of school lands, passed March fourth, one thousand eight hundred and forty-six: and provided further, that the said east half of the southwest quarter of section number eleven, in township number four, range number fifteen, and the said west half of the northeast quarter of section number eleven, township number six, range number fifteen, shall not be sold for less than six dollars per acre.

WILLIAM P. CUTLER,

*Speaker of the House of Representatives.*

EDSON B. OLDS,

*Speaker of the Senate.*

February 5, 1847.

## AN ACT

To legalize the acts of Joshua Wickliffe, of Liberty township, Fairfield county, in reference to the sale of certain school lands therein named.

WHEREAS, an act entitled "an act to authorize the sale of the east half of the northwest quarter of section fifteen, township sixteen, range nineteen, Refugee Tract, for the use of schools for the township of Liberty, Fairfield county, and the townships of Harrison and Union, in the county of Licking," passed January twenty-first, one thousand eight hundred and forty-five, and an amendment thereto, passed March sixth, one thousand eight hundred and forty-five, is still in force, but, by reason of the vacancy in the board of trustees, the said land cannot be sold, in pursuance of an act on the subject entitled "an act to regulate the sale of ministerial and school lands, and the surrender of permanent leases thereto," passed February second, eighteen hundred and forty-three; and it being the desire of the inhabitants of said townships that said land should be sold,



SEC. 1. *Be it enacted by the General Assembly of the State of Ohio,* That Joshua Wickliffe, Esq., be and he is hereby authorized to give the proper notices, as is provided in the act last mentioned, and that his proceedings in this matter (as remaining trustee) be and the same are hereby legalized.

SEC. 2. That the citizens, when assembled pursuant to said notices, provided for in the preceding section, be and they are hereby authorized to appoint two judicious persons to act as trustees at the taking of the vote.

SEC. 3. That the trustees, so appointed, shall be sworn, by some person authorized to administer oaths, to faithfully and impartially perform the duties of their appointment; and the judge or justice administering said oaths shall certify the same, which certificate shall accompany the papers necessary to be filed in the auditor's office.

SEC. 4. All further proceedings shall be done in accordance with the laws now in force on that subject.

SEC. 5. This act to take effect from and after its passage.

WILLIAM P. CUTLER,  
*Speaker of the House of Representatives.*  
EDSON B. OLDS,  
*Speaker of the Senate.*

February 5, 1847.

#### AN ACT

To amend "an act to incorporate the Little Miami Railroad Company, passed March 11, 1836, and the acts amendatory thereto.

SEC. 1. *Be it enacted by the General Assembly of the State of Ohio,* That the capital stock of the Little Miami Railroad Company be and the same hereby is extended to two millions of dollars, the additional stock to be subscribed and paid at such times, and on such terms, and in such manner as the board of directors shall direct.

SEC. 2. That the directors are authorized to borrow, upon the credit of said company, any sum or sums of money not exceeding, in all, four hundred thousand dollars, at a rate of interest not exceeding seven per centum, per annum, and for said loan to make and execute, in the name and behalf of said company, such bonds, promissory notes, or other evidences of debt, and payable at such times and places, and transferable and redeemable in such form and at such times and places, as shall be agreed upon by the respective parties so contracting.

SEC. 3. That for the security of money so borrowed, said directors may pledge, by mortgage or otherwise, their entire road, fixtures and equipments, with all the appurtenances, income and resources thereof, without prejudice, however, to any previous liens on the same: Provided, that nothing in this act shall be construed as pledging, or authorizing to be pledged, the state, either directly or indirectly, for the payment of any part of the principal or interest of the loan aforesaid, further than may result from the lien that may attach to the stock now owned by the state in said company.

SEC. 4. That in lieu of constructing branch roads from the Little Miami railroad, as authorized by the thirteenth section of the act incorporating said company, the directors may, at their option, subscribe to the capital stock of any such branch or connecting road, any number of shares, not exceeding in amount the estimated cost of constructing such branch or connecting road within any county through which such branch or connecting road and the Little Miami road may pass.

SEC. 5. This act shall not take effect until the stockholders of the Little Miami Railroad Company shall have given their assent to the following articles, as amendments to their charter: and such assent shall be given in the mode which the president and directors may prescribe:

ARTICLE 1. The Governor shall have the power to prescribe what price may be charged by said company for the transportation of the troops and munitions of war belonging to this state, and to the United States, should the board of public works at any time entertain the opinion that the prices charged therefor by such company are unreasonably high.

ART. 2. At any time after the expiration of ten years from the time said road shall be put in operation, it shall be lawful for the General Assembly to prescribe the rates to be charged for transportation of persons or property upon said road, should they be deemed too high, and may exercise the same power every ten years thereafter: Provided, that no reduction shall be made which will diminish the profits of the company below a sum equal to eight per centum, per annum, upon its capital.

ART. 3. So much of the charter of said company as prescribes the mode and amount of taxation shall be deemed to be surrendered.

WILLIAM P. CUTLER,

*Speaker of the House of Representatives.*

EDSON B. OLDS,

*Speaker of the Senate.*

February 5, 1847.

#### AN ACT

To authorize the commissioners of Franklin county and the city council of the city of Columbus to subscribe stock to certain railroad companies.

SEC. 1. *Be it enacted by the General Assembly of the State of Ohio,* That the commissioners of the county of Franklin, and the city council of the city of Columbus, are hereby respectively authorized to subscribe for shares in the capital stock of the Cleveland, Columbus and Cincinnati Railroad Company, and in the Columbus and Xenia Railroad Company, as follows: the commissioners of Franklin county shall subscribe fifty thousand dollars to each of the above named companies, in behalf of the county, and the city council of Columbus shall subscribe fifty thousand dollars to each of the said companies, in behalf of the city; the subscription to be made in such number of shares, from time to time, as the said commissioners or city council may respectively deem expedient; and, for the purpose of paying the installments thereon, they may issue bonds, scrip, or other contracts in the proper form, in the name of, and binding on their respective county or city, as the case may be, bearing a rate of interest not

exceeding seven per centum, per annum, payable annually; the principal thereof to be payable at such time or times, not less than five years after the date of such subscription, as may be deemed most advantageous; and the shares of stock so subscribed, and the avails arising from the sale thereof, shall be held for the purpose of paying the principal of such bonds, scrip, or other contracts, and shall be subject to no other liabilities of the county or city, as the case may be, as long as such bonds, scrip, or other contracts shall remain unpaid.

SEC. 2. That the commissioners aforesaid for the county of Franklin, and the city council for the city of Columbus, in person or by proxy appointed in writing, by them or a majority of them, respectively, are hereby authorized to attend all meetings of the stockholders of the respective companies before named, and to vote for the choice of directors, and on all questions which may be submitted to such stockholders; they shall also have the entire management and control of the stock held by them, respectively, in each of said roads, and may dispose of such stock for the payment of all bonds, scrip, or other contracts, whenever the same may become due, as they may deem most expedient and proper; but such stock owned by the county shall not be sold for less than its par value, without the unanimous consent of the commissioners, nor without the assent of two-thirds of the city council, so far as it respects that part of said stock belonging to the city.

SEC. 3. That on or before the first Monday in June, of each year, the commissioners aforesaid shall make a statement to the auditor of Franklin county, of the amount of tax which they may deem necessary or expedient to be levied for paying the interest or principal falling due, as the case may be, on bonds, scrip, or other contracts issued by them in behalf of the county; and it shall be the duty of the auditor, on receiving such statement, to assess, on the property of said county subject to taxation for state and county purposes, such per centage of tax as may be sufficient to raise the amount so stated to him, and to enter the same, in the proper sums chargeable on the separate parcels of property subject to taxation, as aforesaid, in a separate column, to be collected by the treasurer of said county as other taxes for general purposes are by law to be collected; and the sums so collected shall be subject to the draft of the commissioners of said county, for the payment of the interest or principal, as aforesaid.

SEC. 4. That the city council of Columbus shall annually make to the city recorder a statement of the amount which will be required to pay the interest or principal falling due on any bonds, scrip, or other contracts by them issued, in behalf of the city, for stock in either of the railroad companies, as aforesaid; and it shall be the duty of the recorder to add to the duplicate of city taxes such per centage on all property subject to taxation for city purposes, as will be sufficient to make up the sum fixed upon by the city council; and such tax shall be collected by the collector of said city in all respects as other city taxes are by law collected, and in like manner be paid over to the treasurer of the city.

SEC. 5. That the commissioners of Franklin county shall give at least twenty days' notice, in two newspapers of general circulation in said county, to the qualified voters, to vote, at the next annual spring election to be held in the several townships in said county, and in the several wards of the

city of Columbus, for or against the subscription, as aforesaid; and if the majority of the electors voting at such election for or against a subscription, shall be in favor of the same, such authorized subscription shall then be made by the said commissioners; the recorder of the city of Columbus shall give like notice, in two newspapers of general circulation in said city, to the qualified voters thereof, to vote, at the next annual election for city officers, for or against the subscription by the city, as aforesaid, and if a majority of the electors voting at such election for or against a subscription, shall be in favor of the same, such subscription shall then be made by the said city council: Provided, that the question may again be submitted to the people in like manner, as aforesaid, at the next October election, if at the elections above specified a majority shall be opposed to such subscriptions.

SEC. 6. That, at the elections above named, each elector shall deposit his ballot marked either "for subscription," or "against subscription," which ballots shall, by the judges of the election, be placed in a separate box to be provided for that purpose by the proper officers; and at the close of the election, the returns, so far as it respects the vote of the county subscription, shall be made by the judges to the auditor of the county within two days thereafter, who shall notify the county commissioners of the result; and the returns, so far as it respects the city subscription, shall, in like manner, be made to the president of the city council.

SEC. 7. The directors of the Columbus and Xenia Railroad Company are hereby authorized to borrow, upon the credit of said company, any sum or sums of money not exceeding three hundred thousand dollars, at a rate of interest not exceeding seven per centum per annum.

SEC. 8. That for the purpose of perfecting said loans, the directors of the Columbus and Xenia Railroad Company shall have power, in the name of their company, to make and execute bonds or notes, payable at such times and places as shall be agreed upon by the respective parties so contracting, which said bonds or notes may be made transferable and redeemable in such form, and at such times and places as may be therein designated.

SEC. 9. That for the security of the payment of such money, so borrowed by said directors of the Columbus and Xenia Railroad Company, said directors may pledge, by mortgage or otherwise, all or any part of said railroad or other personal or real property belonging to said company or any part or portion of the tolls or revenue of said company which may thereafter accrue.

SEC. 10. That, in case the directors of the Columbus and Xenia Railroad Company shall elect to connect their proposed railroad with the Little Miami railroad at any other point on the same than at Xenia, as provided in the act entitled "an act to incorporate the Columbus and Xenia Railroad Company," passed March, one thousand eight hundred and forty-four, said directors are hereby authorized to connect their proposed railroad with the Little Miami railroad at such points as they may determine.

WILLIAM P. CUTLER,

*Speaker of the House of Representatives.*

EDSON B. OLDS,

*Speaker of the Senate.*

February 6, 1847.

## AN ACT

To incorporate the Dayton, Lebanon and Deerfield Railroad Company.

SEC. 1. *Be it enacted by the General Assembly of the State of Ohio,* That Daniel Kiler, Jefferson Patterson, Henry Stoddart, William Crossley, Edward W. Davies, Joseph Thomas, Daniel Beckel and William Brown, of the county of Montgomery, and William Gregg, Jonathan Wright, Jacob Eulass, James Sweeney, Robert G. Corwin, William Gallaher, Daniel Hufford, J. P. Gilchrist and John Probasco, jr., of Warren county, and those who may hereafter become stockholders in the manner hereinafter prescribed, their successors and assigns, be and they are hereby created a body corporate by the name and style of the Dayton, Lebanon and Deerfield Railroad Company, with perpetual succession, and by that name and style shall be, and hereby are made capable in law, to have, purchase, receive, possess, sell, convey and enjoy real and personal estate, and retain them, their successors and assigns, all such lands, tenements and hereditaments as shall be requisite and actually necessary for their accommodation and convenience, in the transaction of their business; to sue and be sued, implead and be impleaded, answer and be answered unto, defend and be defended, in all courts of record and elsewhere; and also to make and use a common seal, and the same to alter, break, renew and change at pleasure.

SEC. 2. That the said corporation are hereby vested with the right and authority to construct a railroad, commencing at the city of Dayton, in the county of Montgomery, and thence by such route as the directors may select, to the town of Lebanon, by the way of Springboro', in the county of Warren, and thence to the most eligible point to intersect the Little Miami railroad at or near the village of Deerfield.

SEC. 3. That the capital stock of said company shall be four hundred thousand dollars, and shall be divided into shares of fifty dollars each.

SEC. 4. That the above named persons, or any two of them, are authorized to order books for receiving subscription to the capital stock of said corporation, to be opened at such time or times, and at such place or places, as they may deem expedient, under the direction of not less than three of the persons named as aforesaid, having given not less than ten days' previous notice in a newspaper published in the county where books of subscription are to be opened, of the time and place of opening said books; and, as soon as ten thousand dollars of said stock shall be subscribed, they may give a like notice for the meeting of stockholders, to meet at such time and place as they may designate, to choose directors to continue in office for the term of one year, and until others are duly appointed in their stead; at the time and place appointed, thirteen directors shall be chosen by ballot, by such of the stockholders as shall attend for that purpose, either in person or by lawful proxies; each share of capital stock shall entitle the owner to one vote; the persons named in the first section of this act, or such of them as may be present, shall be inspectors of such election, and shall certify under their hands, what persons are elected directors, and appoint the time and place for holding the first meeting of directors; seven directors shall form a board, and be competent to transact all business of the corporation; a new election of directors shall be made annually, at such

time and place as the stockholders, at their first meeting, shall appoint, or as the laws of the corporation may require; and the directors chosen at any election shall, as soon thereafter as may be convenient, choose out of their number one person to be president, and one to be treasurer of the corporation.

SEC. 5. That, upon every subscription, there shall be paid, at the time of subscribing, to the person authorized to open said books, the sum of five dollars upon every share subscribed, or the same may be secured to be paid when called for by the directors, at the option of the person receiving such subscriptions, and the residue thereof shall be paid in such installments and at such times as may be required by the president and directors of said company, to the treasurer thereof; and the said company are authorized to take and receive from such persons as shall purchase such stock as aforesaid, such bonds or notes, for the residue of the purchase money of said stock, as they may think expedient.

SEC. 6. That if said railroad company shall not be organized within five years from the date of the passage of this law, and not less than ten miles of the road be completed within ten years from the commencement of the work, then this act shall be null and void.

SEC. 7. That the directors shall have power to determine the number and kind of tracks, turnouts, branches, carriages, conveyances, storehouses, depots, and other fixtures and machinery, prescribe the mode of transportation, and have power to construct a single or double track railroad.

SEC. 8. The said company shall have the right to enter upon any land to survey and lay down said road, and to take any materials, except timber, necessary to the construction and repair of said work; and whenever any lands or materials shall be taken for the construction of said work, and the same shall not be given or granted to said company, and the owners thereof do not agree with said company as to the compensation to be paid therefor, or in case the owner or owners are under any disability to contract, or are absent from the state, application may be made by the said company to any judge of the court of common pleas of the county in which such lands or materials may be; and, thereupon it shall be the duty of said judge to issue his warrant to the sheriff of such county, commanding him to summon three disinterested freeholders, to arbitrate upon the compensation to be awarded to such person or persons, who shall be sworn as arbitrators in other cases, and they or a majority of them shall award as arbitrators between the parties, render copies of their award to each of the parties in writing, from which award either party may appeal to the court of common pleas for the county in which said land or materials may have been situated, which appeal shall be proceeded in as in other cases of appeal; and in all cases where compensation shall in any manner be claimed, it shall be the duty of the arbitrators and the court to estimate and set off any advantage which the location and construction of said road may be to the claimant; and said company shall have the right to retain, own, hold and possess said materials, and to the use and occupation of said lands as fully and absolutely as if the same had been granted and conveyed to said company by deed: Provided, that before the said company shall enter upon any land for the purpose of constructing said road, or for the purpose of procuring materials for the same, they shall pay or secure to the owner of such land or mate-

rials, payment for the same, as may be awarded by the provisions of this section.

SEC. 9. That if it shall be necessary, in the selection of the route or construction of the road, to connect the same with, or use any road, street or bridge, made or erected by any company or persons incorporated or authorized by any law of this state, it shall be lawful for the said company, and it is hereby authorized, to contract and agree with any such other corporation or persons for the right to use such road, street, or bridge, or for the transfer of any of the corporate or other rights or privileges of such corporation or persons, to the said president or directors of this corporation; and all such other corporations and persons incorporated by, or acting under the laws of this state, are hereby authorized to make such an agreement, contract, or transfer; by and through the agency of their corporate officers, or by such persons as by any law of this state are entrusted with the direction and management of such road, street, or bridge; and every contract to transfer made in pursuance of the authority hereby granted or otherwise legally authenticated, shall vest in this corporation all the rights and privileges vested in said corporation or persons, as shall be specified in the contract and agreements above referred to.

SEC. 10. Whenever it shall be necessary for the construction of the railroad, to intersect or cross any stream of water or water course, or any railroad or highway, lying in or across the route of said road, it shall be lawful for the corporation to construct the said railway across or upon the same, but the corporation shall restore the stream or water course, road or highway, thus intersected, to its former state, or place it in such condition as not to impair its former usefulness; and if said corporation, after having selected a route for said railway, find any obstacle in continuing said location, either by the difficulty of construction or procuring the right of way at reasonable cost, or whenever a better and cheaper route can be had, it shall have authority to vary the route and change the location.

SEC. 11. That said corporation may demand and receive from all persons using or traveling upon said road, or for the transportation of property, such rates of toll as the said corporation may think reasonable, which rates they shall have posted up in some public place at each of the depots; after the lapse of ten years from the completion of the road, the state shall have the power to reduce the prices for transporting persons or property upon said road, should such prices, in the opinion of the board of public works, be unreasonably high, and may exercise the same power, in the same manner, at intervals of every ten years.

SEC. 12. That, at the regular annual meeting of the stockholders of said company, it shall be the duty of the president and directors in office for the previous year, to exhibit a clear and distinct statement of the affairs of the company, and the president and directors shall, annually or semi-annually, declare and make a true dividend of the net profits arising from the revenues of the company, deducting the necessary current and probable contingent expenses, and they shall divide the same among the stockholders of said company, in proportion to their respective shares.

SEC. 13. That every president, director, treasurer and secretary of said company, before he acts as such, shall swear or affirm, as the case may be, that he will well and truly discharge the duties of his said office, to the

best of his skill and judgment; and the arbitrators authorized by the eighth section of this act, before they proceed to estimate damages, shall severally take an oath or affirmation, faithfully, honestly and impartially to discharge their duty; and the said appraisers shall severally receive, for their services, one dollar per day, for every day they may necessarily be employed, which shall be paid by said corporation.

SEC. 14. That the said president and directors, or a majority of them, may appoint all such officers, engineers or servants whatsoever, as they may deem necessary for the transaction of the business of the company, and may remove any of them at their pleasure; that they, or a majority of them, shall have power to determine, by contract, the compensation of the engineers, officers, agents or servants in the employ of said company, and to determine, by their laws, the manner of adjusting and settling all accounts against the said company, and also the manner and evidence of transfers of stock in said company; and they, or a majority of them, shall have power to pass bylaws, which they may deem necessary or proper for exercising all the powers vested in the company hereby incorporated, and for carrying the objects of this act into effect: Provided, only, that such bylaws shall not be contrary to the laws of this state or of the United States.

SEC. 15. That if any person shall willfully, by any means whatsoever, injure, impair or destroy any part of said railroad, constructed by said company under this act, or any of the necessary work, buildings, cars or machinery of the said company, or in any way cause obstructions to be placed on said road, whereby the machinery or cars of such company may be endangered, such person or persons so offending shall, each of them, for every such offence, forfeit and pay to the said company twofold the damages which may be recovered in the name of said company by an action of debt, with costs of suit, in any court having cognizance thereof, and shall also be subject to an indictment in the court of common pleas of the county where such offence may be committed, and, upon conviction of such offence, shall be punished by fine not exceeding five hundred dollars, and imprisoned in the jail of said county not exceeding ten days.

SEC. 16. That this company may, and they are hereby authorized to commence, complete, and put in operation, any part of said railroad, or any branch thereof, at any point on the route of said railroad which the interest of the company may require to be first commenced and completed; and that the said company may demand and receive the same rates of toll and transportation, and all the benefits that would accrue to each division so commenced and completed, as fully as if the entire work were commenced, completed and put in operation, as aforesaid.

SEC. 17. If the installments remain unpaid for sixty days after the time of payment has elapsed, the directors, in the name of the company, may collect the same by suit, or may sell the stock at public auction for the installments then due, giving twenty days' notice of the time and place of sale, by advertisement in some newspaper of general circulation, in the county where such sale is to be made; and the residue of the money arising from such sale, after paying such installments and costs, shall be paid over to the former owner.



SEC. 18. That it shall be the duty of the directors to keep open books of subscription at the office of the company, until the number of shares authorized by this act shall be subscribed.

SEC. 19. That said company shall not contract debts or liabilities to a greater amount than the stock subscribed, and held by responsible stockholders, remaining unexpended, together with the means on hand, and that which may be reasonably expected to accrue within three years from the time of making such contracts; the party contracting with said company to be informed of such want of means, on the part of such company, and, by agreement in writing, specify the time and manner in which such debt shall be paid.

SEC. 20. The governor shall have the power to prescribe what price may be charged by said company, for the transportation of the public mails of the United States, and of the troops and munitions of war belonging to this State and to the United States, should the Board of Public Works at any time entertain the opinion that the prices charged therefor by such company are unreasonably high: Provided, however, that such power shall not extend so far as to control the time of arrival and departure of the cars on said road, or in any other manner interfere with the regulations of said company; and, provided also, that nothing herein contained shall authorize or interfere with any contract which may be made between the postoffice department and said company, during the existence of such contract.

SEC. 21. That the president and directors of the Little Miami Railroad Company are hereby authorized to subscribe stock to said railroad, or to adopt said railroad as a branch of the Little Miami railroad; and, in that case, the stock in this road shall be stock in the Little Miami Railroad Company.

SEC. 22. It shall be lawful for said corporation to make any contract with the Little Miami railroad, either to unite in the construction of such parts of a road as may, with propriety, be common to both, or to provide for the joint transportation of burdens and passengers over their respective roads, and to apportion the receipts and freights among the stockholders of their respective companies, in such manner as the board of directors may agree and determine; and that the company hereby created shall join their road with the Little Miami Railroad Company, and shall receive and transport over the road hereby authorized, the cars of the said Little Miami Railroad Company, furnishing the motive powers for drawing the same, without unloading, and charging therefor the same rates of freights as shall be charged by the Little Miami Railroad Company.

WILLIAM P. CUTLER,

*Speaker of the House of Representatives.*

EDSON B. OLDS,

*Speaker of the Senate.*

February 6, 1847.

## AN ACT

Authorizing the commissioners of Greene county to subscribe to the capital stock of the Columbus and Xenia Railroad Company, and for other purposes.

SEC. 1. *Be it enacted by the General Assembly of the State of Ohio,* That the commissioners of Greene county be and they are hereby authorized to purchase stock or make subscription to the capital stock of the Columbus and Xenia Railroad Company, to any amount not exceeding fifty thousand dollars; and the stock so subscribed shall be under the control of the commissioners of Greene county in all respects as stock owned by individuals.

SEC. 2. That for the payment of said subscription, the commissioners of Greene county are hereby authorized to issue the bonds of said county, in sums not less than one hundred dollars each, payable at such times and places, and with such rate of interest, not exceeding seven per cent. per annum, as they may think proper.

SEC. 3. That the commissioners of said county are hereby authorized to sell or dispose of the stock owned by said county in the Little Miami Railroad Company, or any part thereof, for the purpose of paying the purchase or subscription of stock authorized by the first section of this act.

SEC. 4. No bond shall be issued or any subscription made under the provisions of this act, whereby any debt shall be created or money appropriated, by said commissioners, to pay any such subscription or purchase, in addition to the existing liabilities of said county, unless a majority of the legal voters of said county, voting "for" or "against" subscription, shall vote for the same; and the commissioners of said county shall give at least thirty days' notice to the qualified electors thereof, by publication in a newspaper of general circulation in said county, requiring said electors to vote, at the annual spring or fall election, for or against the subscription which they shall propose to make; and the opinions of said electors shall be expressed on their ballots "for subscription" or "against subscription," and counted and returned by the judges and clerks of elections, as in other cases.

SEC. 5. The common council of the town of Xenia are authorized to subscribe to the capital stock of the aforesaid railroad company, a sum not exceeding six thousand dollars, and issue the bonds of said town in the same manner that the commissioners of Greene county are, by this act, authorized to do, and levy a sufficient additional tax to pay the principal and interest of the same: Provided, that no such subscription shall be made or bonds issued, until approved by a majority of legal voters of said town, who shall, after thirty days' public notice thereof, (which shall be given by said town council,) vote for or against the same; and said council are hereby authorized to do all necessary acts to carry into effect the provisions of this section.

WILLIAM P. CUTLER,

*Speaker of the House of Representatives.*

EDSON B. OLDS,

*Speaker of the Senate.*

February 6, 1847.

## AN ACT

To authorize the President and Council of the town of Springfield, in Clark county, to subscribe to the capital stock of the Mad River and Lake Erie Railroad Company.

SEC. 1. *Be it enacted by the General Assembly of the State of Ohio,* That the president and council of the town of Springfield, in Clark county, be and they are hereby authorized to subscribe, on the part of said town, to the capital stock of the Mad River and Lake Erie Railroad Company, any amount which shall not exceed, in the aggregate, twenty thousand dollars.

SEC. 2. That the stock so subscribed shall be applied to the construction of that part of said company's road which lies between the said town of Springfield and the city of Dayton, in Montgomery county.

SEC. 3. That for the payment of said stock, the said president and council are hereby authorized to borrow money at a rate of interest not exceeding six per centum per annum, and pledge the faith of said town for the payment of the interest as it shall fall due, and the ultimate redemption of the principal.

SEC. 4. That the president and council of said town may appoint an agent or proxy to vote and act for said town at all meetings of the stockholders of said railroad company, and may empower such agent, or other person or persons, to perform such services, under the provisions of this act, as they shall be of opinion can better be performed by such agent than by said president and council.

SEC. 5. That before any stock shall be subscribed to the said railroad, under this act, the question shall be submitted to the qualified electors residing within the corporate limits of said town, whether said town shall become a subscriber as provided in section one of this act; and to this end it is further provided, that upon the written application of twenty or more citizens of said town, it shall be the duty of said president and council to give notice, by advertisements in the newspapers published in said town, for at least ten days, that such election will be held, setting forth time, place and manner, and the maximum amount of the proposed subscription, and such election may be held for that especial purpose, or the question may be decided at any election already provided for by law, as said president and council may deem best; the returns of said election shall be made in all respects as provided for other corporation elections; and if it appear that a majority of the votes given shall be in favor of such subscription, it shall be made, and not otherwise.

SEC. 6. That the president and council of said town may sell any stock subscribed for under the provisions of this act, and reinvest the proceeds of such sale in the stock of any other company, whenever the voters of said town shall express themselves in favor of such sale and reinvestment, in the same manner as for the original subscription in the preceding section.

WILLIAM P. CUTLER,

*Speaker of the House of Representatives.*

EDSON B. OLDS,

*Speaker of the Senate.*

February 6, 1847.

## AN ACT

To authorize the sale of School Section Sixteen in Willshire township, Vanwert county.

**SEC. 1.** *Be it enacted by the General Assembly of the State of Ohio,* That school section sixteen in Willshire township, Vanwert county, be and the same is hereby authorized to be sold: Provided, that no part thereof shall sell for less than the appraised value thereof; and such sale shall, in all respects, be governed by the provisions of the act entitled "an act to regulate the sale of ministerial and school lands, and the surrender of permanent leases thereto," passed February second, one thousand eight hundred and forty-three, and in accordance with the "act to fix the minimum price of the sale of school lands," passed March fourth, one thousand eight hundred and forty-five.

WILLIAM P. CUTLER,  
*Speaker of the House of Representatives.*  
EDSON B. OLDS,  
*Speaker of the Senate.*

February 6, 1847.

## AN ACT

For the relief of Alfred Cowles and Edwin W. Cowles.

**WHEREAS**, Samuel Cowles, late of Cleveland, deceased, devised and bequeathed to his wife, Cornelia Cowles, during the term of her natural life, certain property, real and personal, and devised and bequeathed the same property, subject to said life estate, to his nephew, Alfred Cowles, and twelve other nephews and neices, in equal shares; and whereas, the said nephews and neices (except the said Alfred Cowles, who is a minor) have agreed with the said Cornelia to relinquish to her, absolutely, a certain portion of the personal property so bequeathed, as aforesaid, upon condition that she relinquish to them her life interest in the residue of personal property and in the entire real estate aforesaid; and whereas, also, it is believed that the interest of the said Alfred Cowles will be promoted by his becoming a party to said contract; and, inasmuch as the said Alfred has not power, by himself or his guardian, to become party to such contract; therefore,

**SEC. 1.** *Be it enacted by the General Assembly of the State of Ohio,* That Edwin W. Cowles, the guardian of Alfred Cowles, be and he is hereby authorized and empowered, in the name and on behalf of said Alfred Cowles, to make and execute any contract in which the said Alfred Cowles and his co-devisees, under the will of Samuel Cowles, late of Cleveland, deceased, shall be party of the one part, and Cornelia, widow of the said Samuel, party of the other part, for the purchase of the life estate of said Cornelia, under said will.

SEC. 2. *And be it further enacted*, that, in the event of the life estate of said Cornelia being purchased, as aforesaid, the guardian of the said Alfred Cowles shall be and he is hereby authorized to receive of the administrator of the estate of said Samuel Cowles, deceased, the share of said estate which will belong to said Alfred Cowles, by virtue of said contract, and, on receipt of such share, to execute to said administrator a release which shall discharge said administrator from liability to account to said Alfred for his share of said estate, under the will; Provided, that before receiving this share of the said Alfred, as herein authorized, the said guardian shall give such further bond as the court of common pleas of Cuyahoga county may require, with reference to the increased sum which may come into his hands under this authority.

WILLIAM P. CUTLER,  
*Speaker of the House of Representatives.*  
EDSON B. OLDS,  
*Speaker of the Senate.*

February 6, 1847.

---

AN ACT

To amend the act entitled "an act to establish grades and enforce the paving and McAdamizing of streets, roads, lanes, and alleys in the southern part of Millcreek township, Hamilton county, Ohio," passed March 6, 1844.

SEC. 1. *Be it enacted by the General Assembly of the State of Ohio*, That in case of death, resignation, or vacancy in the office of supervisor of public roads and highways of said district, the trustees of Millcreek township shall appoint some suitable person to fill such vacancy; and the person so appointed, shall take an oath and give bond as required by the fifth section of the act aforesaid, and shall hold his office until the next annual election, and until his successor shall be elected and qualified.

WILLIAM P. CUTLER,  
*Speaker of the House of Representatives.*  
EDSON B. OLDS,  
*Speaker of the Senate.*

February 6, 1847.

---

AN ACT

To authorize the establishment of Professorships in the Farmers' College, Hamilton county.

SEC. 1. *Be it enacted by the General Assembly of the State of Ohio*, That the trustees of the Farmers' College, Hamilton county, be and they are hereby authorized and empowered to establish such number of professorships, in connection with said institution, one of which shall be a professorship of agriculture, as they may, from time to time, deem conducive to the interests and welfare of the institution.

**SEC. 2.** That any individual subscribing and paying to said trustees the sum of five hundred dollars, in annual installments of one hundred dollars each, to aid in creating a professorship of agriculture in said college, or any other professorship to be created in connection with said institution, shall be entitled to a scholarship for life in said institution.

**SEC. 3.** That when any individual shall subscribe and pay to said trustees the sum of one hundred dollars, to aid in the creation or support of any such professorship, they shall be entitled to three years' tuition in said institution.

**SEC. 4.** The funds obtained by the trustees, under the second and third sections of this act, shall be safely invested by them in such manner as to yield at least six per cent. per annum, and shall not be used by them for any other purpose than the purpose specified in this act.

**SEC. 5.** Said trustees shall enter into a written agreement with each individual who may subscribe money under the provisions of this act, binding said individual to the payment of the money according to his or her subscription, and binding the said trustees to a compliance with the provisions of the agreement under which said subscription was made.

**SEC. 6.** This act to take effect and be in force from and after its passage.

**WILLIAM P. CUTLER,**

*Speaker of the House of Representatives.*

**EDSON B. OLDS,**

*Speaker of the Senate.*

February 6, 1847.

---

#### AN ACT

To amend an act entitled "an act to lay out and establish a Free Turnpike Road from Gilead, in Wood county, to Kalida, in Putnam county," passed March 2, 1846.

**SEC. 1.** *Be it enacted by the General Assembly of the State of Ohio,* That no taxes shall, hereafter, be levied and applied on the Turkey Foot Free Turnpike Road, on any real property lying on the northwestern side of the Maumee river.

**SEC. 2.** That, hereafter, all taxes levied on real property for road purposes, within one mile on each side of said road, on the south side of Blanchard river, shall be applied to the construction and repair of said road, all acts and parts of acts to the contrary notwithstanding.

**WILLIAM P. CUTLER,**

*Speaker of the House of Representatives.*

**EDSON B. OLDS,**

*Speaker of the Senate.*

February 6, 1847.

## AN ACT

To amend the act entitled "an act to incorporate the town of Mansfield, in the county of Richland."

SEC. 1. *Be it enacted by the General Assembly of the State of Ohio,* That so much of the township of Madison, in the county of Richland, as is comprised in a square form, extending one-half mile south from the south line of the present corporation limits of said town of Mansfield, and one-half mile north from the north line of said present corporation limits, and one-half mile east from East Diamond street in said town, and one mile west from said East Diamond street in said town, be and the same is hereby created a town corporate, and, for all corporation and municipal purposes, shall be known and designated by the name of the town of Mansfield; and the limits of the present corporation of the town of Mansfield, and the regulation thereof, together with all the provisions of the act entitled "an act to incorporate the town of Mansfield, in the county of Richland, and to repeal all acts now in force in relation thereto," passed March thirteenth, one thousand eight hundred and forty-three, be and the same are hereby extended over the limits above described, and made subject to the provisions of the act entitled "an act for the regulation of incorporated towns," passed February sixteenth, one thousand eight hundred and thirty-nine, and the amendments thereto; and the existing authorities of said corporation of said town are hereby authorized and required to make out and have recorded, in the recorder's office of said county, a plat and survey of the above extended corporation limits of said town, and to extend their jurisdiction and corporate authority over the same for all corporation purposes.

WILLIAM P. CUTLER,  
*Speaker of the House of Representatives.*  
EDSON B. OLDS,  
*Speaker of the Senate.*

February 6, 1847.

## AN ACT

To amend the act entitled "an act to lay out and establish the Lima and Defiance Free Turnpike Road."

SEC. 1. *Be it enacted by the General Assembly of the State of Ohio,* That so much of the act entitled "an act to lay out and establish a free turnpike road from Lima, in Allen county, to Defiance, in Williams county," as requires the taxes for road purposes, imposed on any property lying on the west side of Ottawa river, in the township of Union, in the county of Putnam, to be worked out on said road, be and the same is hereby repealed.

WILLIAM P. CUTLER,  
*Speaker of the House of Representatives.*  
EDSON B. OLDS,  
*Speaker of the Senate.*

February 6, 1847.

## AN ACT

To amend the act entitled "an act to incorporate the Dayton and Brant Turnpike Road Company."

SEC. 1. *Be it enacted by the General Assembly of the State of Ohio,* That the directors of the Dayton and Brant Turnpike Road Company shall be authorized to commence said road at a point on the Mad River Valley Turnpike Road, within two miles of its junction with the Troy road, and to construct said road thence to the Honey creek road, on or near Moses Shearer's farm.

SEC. 2. That so much of the act to which this is an amendment as shall conflict with the provisions of this act, be and the same is hereby repealed.

WILLIAM P. CUTLER,  
*Speaker of the House of Representatives.*  
EDSON B. OLDS,  
*Speaker of the Senate.*

February 6, 1847.

## AN ACT

To incorporate the Amanda, Monroe, and Redbuck Turnpike Road Company.

SEC. 1. *Be it enacted by the General Assembly of the State of Ohio,* That John Dickey, Jonas Butterfield, and Peter Holley, of the county of Butler, and their successors, be and they are hereby created a body corporate and politic, by the name of the Amanda, Monroe, and Redbuck Turnpike Road Company, for the purpose of constructing a turnpike road from Amanda, in Butler county, to Monroe and Redbuck, in same county, to commence at Amanda; thence running east, on or near the Lebanon and Oxford road, until it intersects the Yankee road where it crosses the Lebanon road; thence south and east, the south branch running along or near said Yankee road, the most practicable route to Monroe; and the east branch, commencing at said cross roads, and running east along the Lebanon road, or near it, to intersect the Miami turnpike at or near the Redbuck.

SEC. 2. That said company shall have all the rights, privileges and powers, and be subject to all the restrictions defined in the act to provide for the regulation of turnpike companies, passed January seventh, one thousand, eight hundred and seventeen, and the several acts amendatory thereto, except so far as the same may be modified or changed by this act.

SEC. 3. The capital stock of said company may be fifteen thousand dollars, divided into shares of twenty-five dollars each.

WILLIAM P. CUTLER,  
*Speaker of the House of Representatives.*  
EDSON B. OLDS,  
*Speaker of the Senate.*

February 6, 1847..



## AN ACT

To authorize the sale of School Section Sixteen, in Florence township, Williams county.

**SEC. 1.** *Be it enacted by the General Assembly of the State of Ohio,* That school section sixteen, situate in Florence township, Williams county, be and the same is hereby authorized to be sold: Provided, no part thereof shall sell for less than the appraised value thereof; and such sale shall, in all respects, be governed by the provisions of an act entitled "an act to regulate the sale of ministerial and school lands, and the surrender of permanent leases thereto," passed February second, one thousand eight hundred and forty-three, and in accordance with the act to fix the minimum price of the sale of school lands, passed March fourth, one thousand eight hundred and forty-five.

**WILLIAM P. CUTLER,**  
*Speaker of the House of Representatives.*  
**EDSON B. OLDS,**  
*Speaker of the Senate*

February 6, 1847.

## AN ACT

To authorize the Commissioners of Wood county to repair certain roads.

**SEC. 1.** *Be it enacted by the General Assembly of the State of Ohio,* That the commissioners of the county of Wood be and they are hereby authorized, annually, if they think proper, for the term of six years, to appropriate the road taxes levied on all the property within two miles of the Perrysburg, Findlay, and Kenton Turnpike, and the McCutchenville state road, (and especially taxed by acts of the legislature to provide for the construction of the Perrysburg, Findlay, and Kenton Turnpike, and the Perrysburg and McCutchenville state road, passed January, one thousand eight hundred and forty-five,) to repair the same; and all persons owing such taxes who may wish to discharge the same in labor, shall apply such labor under the direction of the supervisor of any road district which any part of said roads may pass through, at the rate of seventy cents per day; and the supervisors shall apply the work in such place and manner as the commissioners or their agents may direct.

**SEC. 2.** The supervisors of any road district through which any part of said roads may pass, shall be and hereby are authorized to appropriate any part of the two days' labor within his district which he may deem expedient to the preservation and repair of said roads.

**SEC. 3.** So much of the taxes appropriated by this act as shall be paid into the county treasury, shall be computed by the county auditor, and paid over on the order of the said auditor, which shall be issued on the presentation of the commissioners' certifying that labor to the amount thereof has been performed on either of said roads.

SEC. 4. That where the same property may be especially taxed for the improvement of both the aforesaid roads, then in all such cases the commissioners shall have the right to apportion the aforesaid road taxes between the aforesaid roads as they may deem just and right.

SEC. 5. This act to take effect from and after the first day of April next.

WILLIAM P. CUTLER,  
*Speaker of the House of Representatives.*  
EDSON B. OLDS,  
*Speaker of the Senate.*

February 6, 1847.

---

AN ACT

To amend an act entitled "an act to incorporate the Mad River and Great Miami Railroad Company."

SEC. 1. *Be it enacted by the General Assembly of the State of Ohio,* That the stockholders of the Mad River and Great Miami Railroad Company are hereby authorized to conduct the affairs of said company by a board of five directors, each of whom shall have the same qualification required in the fourth section of the act to incorporate the Mad River and Great Miami Railroad Company, passed sixth March, one thousand eight hundred and forty-five.

SEC. 2. That it shall be lawful for the stockholders of the Cincinnati, Hamilton, and Dayton Railroad Company, and the stockholders of the Mad River and Great Miami Railroad Company, to unite their capital stocks and to become one corporation, under the name of the Cincinnati and Urbana Railroad Company; and under that name to have all the power and privileges conferred in the respective charters of said company, to make, maintain and use a railway from such point in the city of Cincinnati as they may select, to the town of Urbana.

SEC. 3. That if the said corporations shall determine to unite, the president and directors of each company shall execute a joint deed to that effect, under the sanction of the stockholders of each company; and the corporation, thus constituted, shall be governed and managed by a board of seven directors, one of whom shall be president.

SEC. 4. That, in procuring rights of way and acquiring lands for the use of said road, the corporation hereby authorized shall be governed by the powers given and defined in the act to incorporate [the] Cincinnati, Hamilton, and Dayton Railroad Company, and the act amendatory thereto.

WILLIAM P. CUTLER,  
*Speaker of the House of Representatives.*  
EDSON B. OLDS,  
*Speaker of the Senate.*

February 7, 1847.

## AN ACT

To incorporate the Hebrew Benevolent Society of Cincinnati.

**SEC. 1.** *Be it enacted by the General Assembly of the State of Ohio,* That Philip Heidlebach, Lazarus Tannenwald, Bernhard Barbe, James R. Gutheim, Joseph Jonaz, Joseph Abraham, David Mayer, M. Heidebach, Adolphus Lorris, Phineas Moses, Abraham Staniz, and Abraham Zater, and any other person who may apply and be legally accepted in this society, and their successors, are hereby constituted a body corporate and politic, under the name and style of the Hebrew Benevolent Society of Cincinnati; and under this title and denomination shall enjoy all the rights and privileges secured to benevolent societies by the act to regulate literary and other societies, passed March eleventh, one thousand eight hundred and forty-five, and the act to regulate incorporated literary societies, passed March seventh, one thousand eight hundred and thirty-nine, with this addition, namely: that its capital stock and property may amount to the sum of twenty thousand dollars.

WILLIAM P. CUTLER,  
*Speaker of the House of Representatives.*  
EDSON B. OLDS,  
*Speaker of the Senate.*

February 7, 1847.

## AN ACT

Authorizing Henry B. Alspach to sell certain lots in the town of Jefferson, in Fairfield county, and apply the proceeds to the erection of a school house.

**SEC. 1.** *Be it enacted by the General Assembly of the State of Ohio,* That Henry B. Alspach be and he is hereby authorized to sell and convey, upon such terms and at such time as may be designated by the lot holders in the town of Jefferson, in Fairfield county, lots twenty-five and forty, as designated on the recorded plat of said town.

**SEC. 2.** That said Alspach shall, under the direction of said lot holders in said town, apply the proceeds of the sale of said lots twenty-five and forty, to the erection and building of a new school house in said town of Jefferson, for the use of the citizens of said town.

WILLIAM P. CUTLER,  
*Speaker of the House of Representatives.*  
EDSON B. OLDS,  
*Speaker of the Senate.*

February 7, 1847.

## AN ACT

To lay out and establish a State Road in the counties of Jackson and Gallia.

SEC. 1. *Be it enacted by the General Assembly of the State of Ohio,* That Asa Dudley and Edward Byers, of the county of Jackson, and John Hawk, of the county of Gallia, be and they are hereby appointed commissioners to lay out and establish a state road, commencing at or near the place in Jackson, known as the old Washburn place, on the road leading from Jackson, in Jackson county, to Chillicothe; thence easterly, the nearest and best way, to what is called the Spruce Lick, in Jackson county; thence the nearest and best way to Hamden, in Jackson county; thence the nearest and best way to Hawk's Mill, on Big Raccoon creek, in Gallia county; thence the nearest and best way to Wilkesville, in said county of Gallia.

SEC. 2. That the commissioners, named in the first section of this act, shall be governed, in all respects, by the law now in force defining the mode of laying out and establishing state roads, passed March fourteen, one thousand eight hundred and thirty-one, and all acts amendatory thereto.

SEC. 3. That if either of the commissioners aforesaid shall die, or refuse to serve, or remove out of his county, the commissioners of the county where such vacancy may happen shall, on application being made, fill such vacancy as often as it may occur.

WILLIAM P. CUTLER,  
*Speaker of the House of Representatives.*

EDSON B. OLDS,  
*Speaker of the Senate.*

February 7, 1847.

## AN ACT

To amend the seventh section of "an act to incorporate certain towns therein named," passed February 28, 1846.

SEC. 1. *Be it enacted by the General Assembly of the State of Ohio,* That the corporate limits of the town of Casstown, in Miami county, be and the same are hereby so far extended as to include all and every the in and out-lots of the following additions, laid out adjoining to the original plat of said town, namely: Warren Leming's addition, Daniel H. Knoop's addition, James Frazer's addition, and Green and Knight's addition: Provided, that nothing in this act, or in the act to which this is an amendment, shall change the boundaries of the school district of which the said town forms a part.

WILLIAM P. CUTLER,  
*Speaker of the House of Representatives.*

EDSON B. OLDS,  
*Speaker of the Senate.*

February 7, 1847.

## AN ACT

To create a certain Road District therein named.

SEC. 1. *Be it enacted by the General Assembly of the State of Ohio,* That the town of New Westville, and so much of the county road as lies north of said town, be and the same is hereby constituted a separate and entire road district.

SEC. 2. This act to take effect and be in force from and after its passage.

WILLIAM P. CUTLER,  
*Speaker of the House of Representatives.*  
EDSON B. OLDS,  
*Speaker of the Senate.*

February 7, 1847.

## AN ACT

To establish grades in a part of Storrs township, Hamilton county, and for other purposes.

SEC. 1. *Be it enacted by the General Assembly of the State of Ohio,* That that part of Storrs township, in the county of Hamilton, and state of Ohio, as lies within the following bounds, be formed into a road district, for the special purposes hereinafter set forth, viz: beginning at the White-water canal, at a point in the centre of the bridge across said canal, where the "hill road" crosses, in said township; thence north to the north line of said township; thence along said line to the east line of said township; thence with the same to the Ohio river; thence down the river to a point where a line due south from the place of beginning would intersect the same.

SEC. 2. That hereafter, annually, on the third Monday of April, the qualified voters of said road district shall meet, at such place in said district as the trustees of Storrs township shall designate, to elect three commissioners, who shall reside, at the time of the election, in said district; and, when elected, shall hold their office for one year, and until their successors shall be chosen and qualified.

SEC. 3. That notice of said meeting shall be given by the clerk of Storrs Township, by posting up advertisements in three public places, within said district, at least ten days before said meeting; and the voters, when met, shall proceed to the election, in all respects, in the same manner in which township elections are conducted, except that it shall be the duty of the township clerk to prepare poll books, and attend with the township ballot box, and act as clerk of said election; and the expense of said election shall be paid out of the township treasury, on the order of the trustees.

SEC. 4. That said commissioners, when elected, shall take an oath of office, faithfully and impartially to discharge the duties enjoined on them by this act; and said commissioners, and their successors in office, shall be a body politic and corporate in law, and as such, shall be capable of con-

tracting and being contracted with, of suing and being sued, of pleading and being impleaded, in any court of law or equity within this state; and the said commissioners shall be entitled to receive one dollar per day each, for the time they may be necessarily engaged in the duties of their office, to be paid out of the township treasury on the order of said commissioners.

SEC. 5. That there shall be, at the same time and place, elected by the qualified voters of said district, a supervisor of roads and highways of said district, to serve one year, and until his successor shall be chosen and qualified, who shall take an oath or affirmation faithfully and impartially to discharge the duties of his office, and shall give bond with such security and in such sum as said commissioners may approve, payable to the state of Ohio, for the use of said district, conditioned for the faithful paying over and accounting for all moneys that may come into his hands as supervisor aforesaid; and in case of death, resignation, or vacancy in the office of supervisor of roads and highways of said district, the trustees of Storrs township shall appoint some suitable person to fill such vacancy, and the person so appointed, shall take an oath and give bond, as required by this section, and shall hold his office until the next annual election, and until his successor shall be elected and qualified.

SEC. 6. That the said commissioners shall be and are hereby authorized to establish grades and enforce the paving or McAdamizing of streets, lanes, alleys and sidewalks, under the following restrictions and regulations; and they shall appoint one of their own body, or some other suitable person, clerk, whose duty it shall be to keep a fair and accurate record of the proceedings of said commissioners, and all surveys of streets, lanes, alleys, and roads within said district, and all plats, plans, drafts, delineations and profiles made by the surveyor under the direction of said commissioners, who shall receive such compensation, or in case the clerk be one of their own body, such additional compensation for his services as the board may think just and reasonable, to be paid out of the township treasury on the order of the commissioners.

SEC. 7. That said commissioners shall have power to employ a competent engineer to make all necessary surveys of streets, lanes, alleys and roads within said district, who, after taking an oath or affirmation faithfully to execute his duty as surveyor, shall proceed, under the direction of said commissioners, to survey all such streets, and so forth, as they may require, and execute plats, plans, drafts, and statements of the same, and to calculate and ascertain the grades best suited to the situation of the lots and land through which the same may pass; who shall be paid such sum for his services as may be agreed upon, out of the township treasury on the order of the commissioners.

SEC. 8. That said commissioners shall have power to cause to be paved, repaired or improved, any street, sidewalk, lane, alley or road, or part thereof, on petition of a majority of the owners of lots or land, bounding or abutting on said street, sidewalk, lane, alley or road named in the petition: and to levy and collect a special tax for defraying the cost and expenses of the same, including the intersection of streets, by an equal assessment on the feet front, bounding or abutting as aforesaid.

SEC. 9. That on presentation of such petition as is provided for in the preceding section of this act, said commissioners shall immediately cause

the same to be surveyed and the grade established, as directed in this act, and to contract for the grading and paving or McAdamizing of the same; but before entering into any contract to grade, pave, or McAdamize any street, sidewalk, alley, lane or road, as aforesaid, the said commissioners shall cause at least ten days' notice to be given in some newspaper printed and in general circulation in the city of Cincinnati and said district, that proposals shall be received, by the said commissioners, for performing said grading and paving; and the said commissioners shall contract with the person or persons to do said work, who shall propose to perform the same at the lowest rate, on said person or persons giving bond to said commissioners, with security to be approved by them, that the work will be faithfully performed according to the contract; and in case such bond and security be not given, then the said commissioners shall contract with the person or persons who shall propose to do the work at the next lowest rate, on giving bond and security, as aforesaid.

SEC. 10. That it shall be the duty of the clerk, immediately on such petition being presented and acted upon by said commissioners, to ascertain all the names of owners of real estate bounding or abutting on said street, alley, lane or road so to be improved, and the number of feet owned by each, and to make such equal assessment on each front foot of such real estate as shall be sufficient to raise the whole amount required to pay the cost and expense of such improvement, including intersections of streets, and excepting the expenses of surveying, clerks' and commissioners' fees, and so forth, which are otherwise provided for in this act: Provided, that any error in the names of owners of real estate, or the number of front feet subject to taxation shall, at any time, be subject to correction, and be reassessed conformably to the true state of the case.

SEC. 11. That the special tax authorized in the preceding sections of this act shall be levied and collected in the following manner: a certified copy of the lists of the assessments shall be, by the clerk, made out and delivered to the supervisor, whose duty it shall be to make immediate demand of payment to the owner or owners, their agents or guardians, if they can be found in said county, or if not, then on the premises; and on failure to collect said tax on demand, as aforesaid, the said tax shall be a lien upon such property, and the said supervisor shall proceed to collect the same by action of debt, before any court having competent jurisdiction thereof, at the suit and in the name of said supervisor, for the use of the said road district.

SEC. 12. That all assessments made upon the property, the owner or owners of which are non-residents of the county of Hamilton, Ohio, shall be demanded of the guardian or guardians, agent or agents of said owner or owners, if resident within the said county; or of the tenant or tenants of said property, if there be no guardian or agent of such owner resident within said county, or upon the premises, if there be no tenant thereof, and no agent or guardian of the owner or owners resident within said county; and if the same is not paid upon such demand, then suit may be brought against said non-resident owner or owners of said property; and notice of the pendency of said suit shall be given for four successive weeks, in some newspaper printed and in general circulation in said county: which notice shall be given at least four weeks before the first day of the term next succeeding that to which the suit is brought; and said suit shall, in all other

respects, be conducted as like suits are conducted against resident defendants, upon whom regular service is had, said notice being taken and held for all purposes as service.

SEC. 13. That in all cases where assessments shall be made against the estate of any deceased person, where said estate has not been finally settled by the executor or executors, administrator or administrators thereof, demand of such assessment may be made upon the executor or executors, administrator or administrators of said estate, which demand, if not paid, shall be collected by suit against said personal representative or representatives, as all other claims are collected under this act.

SEC. 14. That, in all suits hereafter to be brought in any court of record in this state, for the collection of assessments levied under this act, it shall be sufficient for the plaintiff to declare, on the common count, for work and labor: Provided, however, that nothing herein shall be so construed as to dispense with proof of any matter otherwise required to be proven.

SEC. 15. That, in all suits hereafter to be brought for the collection of assessments, the supervisor shall be a competent witness to prove the demand required to be made by the eleventh section of this act.

SEC. 16. That the commissioners, elected under the provisions of this act, shall, from time [to time,] as they may deem just and expedient, cause their clerk to make out partial assessments on any job or jobs of work that may hereafter be put under contract, under the provisions of this act, as the work may progress, against the owner or owners of land fronting or abutting on said work or improvement, which shall be collected as provided for in this act.

SEC. 17. That all assessments, made under the provisions of this act, shall operate as the first lien on the lot or land bounding or abutting on the street, lane, alley, road, or sidewalk, for which the assessment is made; and no sale or transfer shall in any way deprive the commissioners of their lien on such property.

SEC. 18. That whenever it becomes necessary for the commissioners or supervisors to commence suit for the collection of any assessment, made in accordance with the provisions of this act, no stay of execution shall be allowed.

SEC. 19. That the said commissioners shall have power, whenever in their judgment it shall be necessary, to order and contract for the building, rebuilding and repairing of sewers and culverts, whenever the same may be considered by them necessary: Provided, that all contracts by them made, under this section, shall be made under the same restrictions, as to notice and security, in letting of said contracts, as are provided for in the ninth section of this act: and provided, that all such improvements shall be paid out of the general fund hereinafter provided.

SEC. 20. That in all cases where the owner or owners of property shall claim damages for or on account of any work ordered by the said commissioners to be done, such person or persons shall give notice of such claim of damages to the said commissioners in writing, within six months from the time when said work is contracted for; and, upon such complaint being made, as aforesaid, it shall be the duty of said commissioners, at their next regular meeting after the presentation of said complaint, to appoint some



one disinterested freeholder, resident within said district, on their part, to assess the damages, if any, complained of; and the person or persons so claiming damages, shall, within ten days from the notification of said appointment of an assessor on the part of the commissioners, which notification shall be given, in writing, by the clerk of said commissioners, appoint on his, her, or their part, a like disinterested freeholder, resident within said district; [and] said assessors, so appointed as aforesaid, shall, within a reasonable time after the completion of the job or work, out of which said damage is claimed to have accrued, by personal inspection, ascertain and assess the damages, if any, accruing, by reason of said job or work, to the person or persons so making complaint, and shall deliver their award in writing to said commissioners, and to the person or persons so making complaint: Provided, that if said assessors cannot agree, they shall choose an umpire, of like qualification with themselves, and the award of said assessors, so delivered as aforesaid, or any two of them, shall be conclusive upon the parties, except as hereinafter provided.

SEC. 21. That in all cases wherein an award is made upon a complaint of damages, as provided for in the foregoing section of this act, either party being dissatisfied therewith may, within five days after the delivery of said award, give notice of his dissatisfaction to the opposite party in writing, and, in said notice, nominate two disinterested freeholders, resident within said district, to sit on his, her, or their part, as a board of review; and upon the receipt of said notice, it shall be the duty of the party to whom such notice is given to nominate, within five days after the receipt of said notice, two like disinterested freeholders, resident within said district, to sit upon his, her, or their part, as a board of review; and the said freeholders, thus appointed, shall immediately choose a fifth person, of like qualifications with themselves, and, when thus organized, the said five persons shall constitute a board of review, who shall, under oath or affirmation, to be administered by a justice of the peace of Hamilton county, proceed immediately, by personal inspection, to ascertain and assess the damages, if any, complained of; and the report and assessment of said board of review, or a majority of them, shall be delivered in writing to the respective parties, and shall be final and conclusive in all cases whatsoever.

SEC. 22. The assessors heretofore provided for, and the members of the board of review, shall each be allowed one dollar per day for their services, which shall be paid, one-half by the commissioners for said district, out of any moneys belonging to the said special road district, and one-half by the party or parties making complaint of damages.

SEC. 23. That the district commissioners, provided for by this act, may request the county commissioners of the county of Hamilton to establish the grade of any state or county road which may pass through said district; and it shall be the duty of said commissioners thereupon immediately to establish such grade, as requested.

SEC. 24. That it shall not be lawful for the said commissioners or supervisors to alter or change the grade of any street, road, lane, or alley, already graded and paved, or McAdamized in a permanent manner, in said road district.

SEC. 25. That the township treasurer shall open a separate account with said district, and all moneys collected by the supervisors aforesaid,

shall be by him immediately paid into the township treasury; and when any job of grading, paving, or McAdamizing, shall have been completed according to contract, the commissioners shall order the same to be paid by the township treasurer out of any moneys remaining in the treasury to the credit of said district; who shall be allowed one and a half per cent. for paying out said funds, and shall give bond and security, to be approved by said commissioners, for the safe keeping and paying out all moneys or other securities that may come into his hands as treasurer aforesaid, belonging to said district.

SEC. 26. That all persons residing in said district who may be liable to do and perform two days' labor on the roads and highways, shall, in lieu of said labor, pay yearly, and every year, one dollar, each, to the supervisor of said district, who is hereby required, personally, to demand the same of each person liable as aforesaid, between the first day of May and the fifth day of July, annually, and, in default of payment, to collect the same in the manner that fines and penalties are now collected under the act entitled "an act prescribing the duties of supervisors and regulating roads and highways," passed March twentieth, one thousand eight hundred and thirty-seven, and to pay all the moneys, so collected, forthwith into the township treasury.

SEC. 27. That it shall be the further duty of said supervisor to superintend the grading and paving of streets, the removal of obstructions, making temporary repairs, and performing all the duties in said district required to be performed by the aforesaid act prescribing the duties of supervisors, and, except that he shall not call upon persons to perform work on the roads and highways, as therein provided; and the said supervisor shall, from time to time, render an account to said commissioners, of the expense necessarily incurred in removing obstructions and making repairs, and if the commissioners be satisfied that the same is correct, they shall order the amount to be paid by the treasurer, out of the funds of said district; and it shall be the further duty of the supervisor to report every kind of nuisance he may find to exist within said district to the proper authority, and to see that the same shall be removed or abated, or the laws of the state now in force, enforced against the person or persons causing the same; and in case the said supervisor shall neglect or refuse to perform any of the duties enjoined on him by this act, he shall forfeit and pay, for every such neglect or refusal, the sum of five dollars, to be recovered by an action of debt in the name of the state of Ohio, at the suit of any citizen of said district, who may sue for the same before any justice of the peace of said township; and said supervisor shall be under the direction of said commissioners, and shall be paid out of the treasury, on the order of the commissioners, one dollar per day for the time necessarily employed in the duties of his office.

SEC. 28. That if any commissioner, treasurer, or clerk shall refuse or neglect to perform any of the duties enjoined on him by this act, he shall forfeit and pay, for every such offence, the sum of not less than twenty-five dollars, nor more than one hundred dollars, to be collected in the same manner pointed out in the preceding section of this act; and if any vacancy shall occur in the office of commissioner, by death, removal, or otherwise, the same shall be filled by the board, by appointment, until the next annual

election; and all fines and penalties accruing under the provisions of this act shall be paid into the treasury, for the use of the district.

SEC. 29. That the said supervisor shall settle his accounts at least once in every period of three months with the commissioners, and oftener if said commissioners require it, and shall, at all times, keep his books open to the inspection of said commissioners, or either of them.

SEC. 30. That for defraying the various expenses not otherwise provided for by this act, and for paying the compensation of different officers, and for defraying the expense of building, rebuilding, and repairing culverts and sewers, as provided for in the nineteenth section of this act, and for the payment of damages that may be assessed against said commissioners, on account of any work by them ordered to be done under this act, and for the payment of all necessary incidental expenses in the execution of this act, the said commissioners shall, annually, before the first day of June, certify to the auditor of Hamilton county what further sum, not exceeding one mill on the dollar of valuation for taxation for state and county purposes, will be necessary for the aforesaid purposes, and also the names of all persons liable for taxation in said district; whereupon the auditor shall proceed to levy said amount on all real estate and personal property subject to taxation in said district, the said auditor keeping, for this purpose, a separate account with said district, as the same has been or shall be appraised and valued on the grand levy; which shall be collected as other taxes for state and county purposes, and when collected, shall be paid to the supervisor of said district for the use of said district.

SEC. 31. That this act shall be taken and received, in courts of justice and elsewhere, as a general act.

SEC. 32. That this act be in force from and after its passage: Provided, a majority of the votes given by the electors of said road district shall assent thereto, by an actual vote, to be taken at such time and place as may be designated by the trustees of Storrs township; due notice of the time and place of taking such vote shall be given, by said trustees, by posting up printed notices in twelve or more of the most public places in said district, ten days, at least, before the day on which such vote is to be taken.

WILLIAM P. CUTLER,

*Speaker of the House of Representatives.*

EDSON B. OLDS,

*Speaker of the Senate.*

February 8, 1847.

#### AN ACT

To amend the act to incorporate the Cincinnati, Hamilton and Dayton Railroad Company, passed on the 2d of March, 1846.

SEC. 1. *Be it enacted by the General Assembly of the State of Ohio,* That said company shall be known by the name of the "Cincinnati, Hamilton and Dayton Railroad Company."

SEC. 2. That the capital stock of said company may be increased to one million of dollars.

SEC. 3. There shall be seven directors of said company elected, annually, at such place as shall have been previously determined by the directors, due notice of which shall be given by publication for twenty days, in one or more newspapers published in Cincinnati, Hamilton and Dayton; the directors shall hold their offices until their successors shall be elected and qualified, and five directors shall form a quorum for the transaction of business.

SEC. 4. That said company and its officers, engineers and agents shall have the right to enter upon any land or lots to survey, locate and construct said road, of such width as may be necessary, and to take any materials adjacent thereto, which may be necessary, for the construction and repair of said road; and whenever any land or materials shall be taken for the construction or repair of said road, and the same shall not be given or granted to said company, and the owners do not agree with said company as to the compensation to be paid therefor, the person or persons claiming compensation, or the officers or agent of said company may apply to any judge of the court of common pleas of the county in which such land or materials may be, who shall issue his warrant to the sheriff of said county, requiring him to summon five disinterested freeholders of said county to meet, on a day named in said warrant not less than ten nor more than twenty days after the issuing thereof, on the land, or near the materials for which damages or compensation is claimed, and said sheriff shall give to the parties interested, ten days' notice of the time and place of the meeting of said freeholders, who shall proceed, after being duly sworn or affirmed, to estimate the damages which the owner will sustain by the construction of said road, or the use of such materials; and in making such estimate, said freeholders shall take into consideration and deduct from such damages, the benefits, both general and special, resulting to the owner of such land or materials, by the construction of said road, or by reason of said road passing through or upon said land or lot; and said appraisers shall reduce their award to writing, describing therein the land or lot appropriated for said road, or the materials to be used, as aforesaid, a copy of which, signed by said freeholders, shall be returned to the clerk of the court of common pleas for the county in which such land, lot or materials shall be situated, by whom it shall be filed in his office, and the said court shall, at the next term, confirm the same, unless fraud or error shall be shown; and said award, when so confirmed, shall be recorded by said clerk, at the expense of said company, and when the amount of damages awarded, as aforesaid, shall be paid or tendered to the owner of such land, lot or materials, or his legal representatives, the said company shall be entitled to the land, lot or materials for which damages shall have been awarded, as fully as if the same had been conveyed to the company, by the owner, by deed; and the damages awarded, as aforesaid, if not received from the company when tendered, shall, at any time afterwards, be paid by the company to the owner or his legal representatives, upon demand; and said sheriff and freeholders shall be entitled to demand and receive from said company, the same fees which are allowed for the valuation of real property upon execution.

SEC. 5. Whenever the revenue derived by the state from the Miami canal shall be diminished by the operations of said road below what it now is, it shall be lawful for the board of public works to impose upon all property transported upon said road, such tolls as will be sufficient to replace the revenue so diminished, which tolls, so imposed, said company shall pay to the member of the board of public works having charge of the Miami canal.

SEC. 6. If the company shall be dissatisfied with the opinion of the board of public works as to the amount of property which, but for said road, would have been transported on the Miami canal, they may have the decision of the board reviewed, by instituting proceedings in chancery in the supreme court, in the county in which the principal office of said railroad company shall be situated, making the state of Ohio and the board of public works parties to such bill, and the said court shall make such orders and decrees therein as it shall deem just and proper, to accomplish the objects of the preceding section.

SEC. 7. That said Cincinnati, Hamilton and Dayton Railroad Company may, whenever the Mad River and Great Miami Railroad Company shall be duly organized, unite with and form a part of said Mad River and Great Miami Railroad Company, upon such terms as may be mutually agreed upon between said companies, not inconsistent with the respective charters of said companies; and said companies shall, after such union, form but one company, which shall thereafter be known by the name of the "Great Miami and Mad River Railroad Company," and shall be managed by directors to be elected as herein prescribed, upon such terms as may be unitedly agreed upon, not inconsistent with the privileges and restrictions of their respective charters.

WILLIAM P. CUTLER,

*Speaker of the House of Representatives.*

EDSON B. OLDS,

*Speaker of the Senate.*

February 8, 1847.

#### AN ACT

To change the name of the St. John's Church of Lancaster, to the First German Reformed Church of Lancaster.

SEC. 1. *Be it enacted by the General Assembly of the State of Ohio,* That the corporate name of the St. John's Church of Lancaster, incorporated by an act of the General Assembly of the state of Ohio, passed March sixteenth, one thousand eight hundred and forty-one, be and the same is hereby changed to the name of the First German Reformed Church of Lancaster.

WILLIAM P. CUTLER,

*Speaker of the House of Representatives.*

EDSON B. OLDS,

*Speaker of the Senate.*

February 8, 1847.

## AN ACT

To authorize the sale of ministerial section twenty nine, range one, town two, in Colerain township, Hamilton county.

SEC. 1. *Be it enacted by the General Assembly of the State of Ohio,* That whenever any of the lessees of the said section number twenty-nine, shall make application, in writing, to the auditor of said county, requesting him to appoint three persons to appraise said section, it shall be the duty of said auditor to appoint three disinterested freeholders of the said county, and not residents of the said township, who shall, after having taken an oath faithfully and impartially to discharge their duties as such appraisers, proceed to make a just valuation, in money, of the premises owned by each of the lessees of said section, without reference to the improvements made thereon, under and by virtue of said lease, and shall return such valuation, in writing, to said auditor.

SEC. 2. *Be it further enacted,* that if, at any time within two years after such appraisement, any of the lessees shall wish to surrender his, her or their lease, and become the owner of the premises in fee, the said auditor shall notify the township clerk, in writing, of the fact, and said clerk shall give notice to the legal voters of the original township of Colerain, by posting up not less than eight notices at least twenty days prior to the annual spring or fall election, that a vote will be taken for or against the sale of said lands; and the trustees of the said township shall, at the time of taking such vote, be governed by the third section of the "act to regulate the sale of ministerial and school lands, and the surrender of permanent leases thereto," passed February second, one thousand eight hundred and forty-three; and if a majority of the voters of said township, at such election, shall be in favor of selling said land, then such sale shall, in all respects, be governed by the provisions of the above recited act: Provided that said lessees, at the time of such sale, shall pay not less than one-sixth part of the amount for which such land shall sell, and the balance in five yearly payments.

SEC. 3. *Be it further enacted,* that the appraisers authorized to be appointed by the first section of this act, shall each receive for his services, one dollar per day, to be paid by said lessees.

WILLIAM P. CUTLER,

*Speaker of the House of Representatives.*

EDSON B. OLDS,

*Speaker of the Senate.*

February 8, 1847.

## AN ACT

Authorizing the Commissioners of Madison county to subscribe to the capital stock of the Columbus and Xenia Railroad Company, and the Springfield and Columbus Railroad Company.

SEC. 1. *Be it enacted by the General Assembly of the State of Ohio,* That the commissioners of Madison county be and they are hereby authorized, to purchase, or to subscribe to the capital stock of the Columbus and

Xenia railroad company, or the capital stock of the Springfield and Columbus railroad company, any sum not exceeding twenty thousand dollars; and the stock so purchased or subscribed for, shall be under the control of the said commissioners, in all respects as stock owned by individuals.

SEC. 2. That for the payment of said stock, the commissioners of said county are hereby authorized to borrow money, at a rate of interest not exceeding six per centum per annum, and to pledge the faith of the county for the annual payment of the interest, and the ultimate redemption of the principal; or, if the said commissioners should deem it most advisable, they are hereby empowered to pay for such subscription or purchase, in bonds of the county, to be drawn for that purpose, in sums not less than fifty dollars, bearing an interest not exceeding six per centum per annum; Provided, that no bond shall be paid out at a rate less than par value.

SEC. 3. No subscription shall be made, or purchase, or bond issued under the provisions of this act, whereby any debt shall be created by said commissioners, to pay any such subscription or purchase, unless a majority of the qualified voters of said county, voting for or against such subscription, shall vote for the same; and the commissioners of said county shall give at least sixty days' notice, in two newspapers of general circulation in the county, to the qualified electors of said county, requiring said electors to vote, at the annual spring or fall elections, for, or against the subscriptions they shall propose to make; and the opinion of said electors shall be expressed on their ballots, "for subscription," or "against subscription," and counted and returned by the judges and clerks of elections, as in other cases; and if a majority of electors voting at such election, for or against subscription, shall be in favor of the same, such authorized subscription or purchase, or any part thereof, shall then be made by said commissioners.

WILLIAM P. CUTLER,

*Speaker of the House of Representatives.*

EDSON B. OLDS,

*Speaker of the Senate.*

February 8, 1847.

#### AN ACT

To authorize the President and Trustees of the Miami University to relinquish certain rents in certain cases.

SEC. 1. *Be it enacted by the General Assembly of the State of Ohio,* That the president and trustees of the Miami University be and hereby are authorized to relinquish the payment of rents to said university, on lots and parts of lots held by incorporated churches, and occupied by them for church purposes; but such relinquishment shall not extend beyond the period for which said lots or parts of lots shall be held and used for the purposes aforesaid.

WILLIAM P. CUTLER,

*Speaker of the House of Representatives.*

EDSON B. OLDS,

*Speaker of the Senate.*

February 8, 1847.

## AN ACT

Supplementary to the act entitled "an act to incorporate the Dayton, Xenia, and Washington Turnpike Road Company."

SEC. 1. *Be it enacted by the General Assembly of the State of Ohio,* That the Dayton, Xenia, and Washington Turnpike Road Company, may charge and receive the same rates of tolls upon said road, as are allowed and provided for by the act passed February twenty-fifth, one thousand eight hundred and forty-five, amending the act entitled "an act to provide for the regulation of turnpike companies," passed January seventh, one thousand eight hundred and seventeen.

SEC. 2. That the stockholders of said company may, at any general meeting of said company, fix the number of directors, which shall not be less than five nor more than nine; and the directors, for the time being, shall hold their offices until others are duly elected and qualified.

SEC. 3. Said company shall have the right to procure materials for keeping said road in repair, in the same manner, in all respects, as is provided by the act entitled "an act to amend the act entitled 'an act to incorporate the Jefferson, South Charleston, and Xenia Turnpike Road Company,'" passed March fifth, one thousand eight hundred and thirty-eight, passed March seventh, one thousand eight hundred and forty-two.

SEC. 4. So much of any act as conflicts with the provisions of this act is hereby repealed.

WILLIAM P. CUTLER,

*Speaker of the House of Representatives.*

EDSON B. OLDS,

*Speaker of the Senate.*

February 8, 1847.

## AN ACT

To amend the act to incorporate the Ohio Railroad Company.

SEC. 1. *Be it enacted by the General Assembly of the State of Ohio,* That if the Ohio Railroad Company, or the purchasers thereof, or any part thereof, from the state of Ohio, find any obstacle to continuing the location of said railway, or any selected route, either by difficulty of construction or of procuring the right of way at a reasonable cost, or wherever a better or cheaper route can be had, they shall have authority to change the route and vary the location, adhering, however, to the several points named in the act to which this is an amendment.

SEC. 2. The said railroad company shall not possess power to take timber, to aid in the construction or repair of said road, except by the consent of the owner thereof.

WILLIAM P. CUTLER,

*Speaker of the House of Representatives.*

EDSON B. OLDS,

*Speaker of the Senate.*

February 8, 1847.



## AN ACT

To amend an act entitled "an act to incorporate Maumee City."

SEC. 1. *Be it enacted by the General Assembly of the State of Ohio,* That so much of the act entitled "an act to incorporate Maumee City," passed March twelfth, eighteen hundred and thirty-eight, as includes within the corporate limits of said Maumee City any territory lying east of the following line, to wit: commencing at the southwest corner of tract five hundred and seventy-eight, on the Maumee river; thence running northerly, on the line of said tract, to Second street; thence easterly, along the line of said Second street, to the western line of tract five hundred and seventy-nine; thence northerly, along the line of said tract to Fifth street, in Scott's addition to Maumee City; thence westerly, along said street, to the west line of tract five hundred and seventy-eight: thence northerly, along said west line of said tract five hundred and seventy-eight, to the northerly line of said Maumee City, be and the same is hereby repealed.

SEC. 2. That nothing in this act shall be so construed as to exonerate property, hereby detached, from the payment of any debt or debts already contracted by said corporation.

WILLIAM P. CUTLER,  
*Speaker of the House of Representatives.*  
EDSON B. OLDS,  
*Speaker of the Senate.*

February 8, 1847.

## AN ACT

To authorize the Commissioners of Clark county to subscribe to the capital stock of the Mad River and Lake Erie Railroad Company, and to pay for the same in the mode therein described.

SEC. 1. *Be it enacted by the General Assembly of the State of Ohio,* That the commissioners of Clark county be and they are hereby authorized to subscribe, for and on behalf of said county, for any number of shares, not exceeding five hundred, of the capital stock of the Mad River and Lake Erie Railroad Company, and to pay therefor in the certificate or certificates of stock which said commissioners may have, or be entitled to have, for stock heretofore subscribed by them, on behalf of said county, to the capital stock of the Little Miami Railroad Company; and the same certificate or certificates to assign or transfer to the said Mad River and Lake Erie Railroad Company, for the purpose of making such payment: Provided, that said commissioners shall have power to control the stock subscribed under the provisions of this act, and to sell the same or any part thereof, and apply the proceeds to the payment of the bonds heretofore issued by said county, for the shares subscribed to the stock of the Little Miami Railroad Company, as aforesaid; but to or for no other purpose whatever.

SEC. 2. Before the officers of any railroad company shall receive any subscription of stock under this act, they shall procure the assent of the stockholders of such railroad company to the following articles, as amendments to their charter, respectively; and any such subscription of stock,

received by any railroad company, shall be evidence that the said company has adopted the said articles as amendments to its charter :

ARTICLE 1. The governor shall have the power to prescribe what price may be charged by said company for the transportation of the troops and munitions of war belonging to this state and to the United States, should the board of public works at any time entertain the opinion that the prices charged therefor by such company are unreasonably high.

ARTICLE 2. At any time after the expiration of ten years from the time said road shall be put in operation, it shall be lawful for the general assembly to prescribe the rates to be charged for transportation of persons or property upon said road, should they be deemed too high ; and may exercise the same power every ten years thereafter : Provided, that no reduction shall be made which will diminish the profits of the company below a sum equal to eight per centum upon its capital.

WILLIAM P. CUTLER,  
*Speaker of the House of Representatives.*  
EDSON B. OLDS,  
*Speaker of the Senate.*

February 8, 1847.

#### AN ACT

In relation to a State Road running from Mount Vernon, in Knox county, through Mansfield, Richland county.

WHEREAS, that part of the state road running from Mount Vernon, in Knox county, through Mansfield, in Richland county, which lies between the south end of East Diamond street, in said town, and the point where said road, as now used, leaves the section line and inclines to the west so as to run into West Diamond street of said town, shall become vacated by a general act of the legislature without the wish of the citizens interested ; therefore,

SEC. 1. *Be it enacted by the General Assembly of the State of Ohio,* That so much of the state road running from Mount Vernon, in Knox county, through Mansfield, in Richland county, as lies between the south end of East Diamond street, in the town of Mansfield aforesaid, and the place where the said road, as now used, leaves the section line and inclines to the west, running into West Diamond street, in said town, be and the same is hereby revived and made a public highway, and a part of said state road ; and it is hereby made the duty of the supervisor to open the said road so revived, and cause a survey thereof to be duly recorded in the auditor's office of said county, as a part of the said state road running from Mount Vernon, in Knox county, through Mansfield, in Richland county.

WILLIAM P. CUTLER,  
*Speaker of the House of Representatives.*  
EDSON B. OLDS,  
*Speaker of the Senate.*

February 8, 1847.

## AN ACT

To amend an act entitled "An act to incorporate the Baldwin Institute, in Middleburg, Cuyahoga county," passed December 20th, 1845.

**SEC. 1.** *Be it enacted by the General Assembly of the State of Ohio,* That section two of the act above referred to, be and the same is hereby so amended as to require the trustees therein mentioned to be appointed annually.

**SEC. 2.** That so much of the act above referred to as is inconsistent with this act, be and the same is hereby repealed.

WILLIAM P. CUTLER,  
*Speaker of the House of Representatives.*  
EDSON B. OLDS,  
*Speaker of the Senate.*

February 8, 1847.

## AN ACT

To amend the act entitled "An act to incorporate the town of Eaton, in the county of Preble," and the several acts amendatory thereto."

**SEC. 1.** *Be it enacted by the General Assembly of the State of Ohio,* That the town council of the town of Eaton shall have power to make by-laws regulating the pavements or sidewalks in said town, and by an ordinance of said town council, duly published, to require the owner or owners of any lot, lots or part of a lot in said town, to make pavements or sidewalks, with good substantial curbing thereto, or to alter, amend or repair the same on such streets, of such width and in conformity with such grade as the town council shall direct.

**SEC. 2.** That if any owner or owners of any lot, lots or part of a lot within said town, whether resident or nonresident, shall neglect or refuse to make or repair a pavement or sidewalk, as required in the preceding section, the town council of said town shall have power to found and make, or repair said pavement or sidewalk, and assess a tax on the premises so improved, sufficient to pay for the same, which tax shall be entered on the recorder's duplicate of taxes for said town, and collected in the same manner that the other taxes of said town are collected.

**SEC. 3.** The said town council shall have the exclusive right of forming one or more road districts within the corporation limits, and the qualified electors of said town shall, at each annual corporation election, elect one supervisor for each district, who shall be governed in his duties by the by-laws and ordinances of said town, and receive the same compensation allowed by law to supervisors of roads and highways; they shall have power to require each male person, resident within said town and liable, by law, to perform labor on the public roads, to perform, in each and every year, two days' labor on the streets and alleys within said town, in lieu of the two days' labor required under the present laws regulating roads and highways, and upon refusal or neglect to perform such labor under the proper

supervisor, the delinquent shall be liable to the same penalties which are or may be provided by law against persons refusing to perform the two days' labor required by such law ; and all road tax charged on the county duplicate, on property within the limits of said town, shall be collected and paid into the treasury of said town, to be expended by the town council in improving the streets and alleys within the limits of said corporation.

SEC. 4. That all notices of elections within said corporation, the yearly exhibit of the receipts and expenditures of said corporation, and all ordinances of the town council hereafter passed, (prior to their taking effect,) shall be published by the recorder in a newspaper, (if any there be,) printed in said town.

SEC. 5. That on such day as shall be agreed upon by the mayor and town council of said town of Eaton, of which time twenty days' previous notice shall be given by the mayor of said town, by advertisement in the newspapers published in said town, the qualified electors residing within the corporate limits of said town shall ballot for or against the acceptance of this act, by indorsing on their ballots either "Accept" or "Not accept," which said balloting shall, in all respects, proceed according to and be governed by the laws in force regulating elections held within said corporation, and if more than one-third of the ballots deposited in accordance with the foregoing provisions, are indorsed "Not accept," then this act shall be void and of no effect.

WILLIAM P. CUTLER,  
*Speaker of the House of Representatives.*  
EDSON B. OLDS,  
*Speaker of the Senate.*

February 8, 1847.

---

#### AN ACT

To incorporate the East Fork Road and Bridge Company.

SEC. 1. *Be it enacted by the General Assembly of the State of Ohio,* That Michael Turner, William Williams, L. A. Hendrick, Emanuel Hawn, Thomas M. Brown, John Kugler, Thomas Hair, Moses Ross, James Pollock, James Simmons, Isaac Edwards, Joseph Davis, and Uriah Baldwin, and their associates and successors, be and they are hereby created a body politic and corporate, by the name and style of the East Fork Road and Bridge Company.

SEC. 2. That the capital of said company shall be ten thousand dollars, and shall be divided into shares of twenty-five dollars each.

SEC. 3. That the persons named in this act, or any three of them, after giving fifteen days' notice thereof, in some newspaper printed in Clermont county, are authorized to open books for the subscription to the capital stock of said company, at such times and places as they may deem expedient ; and when one hundred and sixty shares, or four thousand dollars of capital stock shall have been subscribed, they may, by public notice, call

a meeting of the stockholders, and proceed to elect seven directors, who shall choose out of their number one person to be president, and one to be treasurer and secretary of said company.

SEC. 4. Said directors and officers, and all other directors and officers elected or appointed for said company, shall, within ten days after such election or appointment, take an oath of office; and they shall have power to fill vacancies in their own body, and make all bylaws, rules and regulations necessary or proper for said company, not inconsistent with the laws of the United States or of this state.

SEC. 5. The stockholders shall annually, on the first Monday in December, elect seven directors, who shall elect a president and treasurer of said company, and at all such elections each stockholder shall be entitled to one vote for every share of stock by him owned.

SEC. 6. Said corporation shall have perpetual succession by the name and style aforesaid, may contract and be contracted with, sue and be sued, plead and be impleaded, defend and be defended, in any court of competent jurisdiction; may have a common seal, which they may change or alter at pleasure; shall have power to erect a toll bridge over the east fork of the Little Miami River, at a point surveyed by James Given, Esq., in one thousand eight hundred and thirty-nine, if the owners of the land on each side of said stream assent thereto; and said corporation shall have power to construct a graded or McAdamized road from said bridge, on the nearest and most practicable route, to the town of Milford, in Clermont county; but said road shall not in any place exceed three degrees elevation; and said corporation shall always keep said road and bridge in good repair, and construct the same of proper dimensions, and in a suitable manner, for the accommodation of all travel and transportation on the same; and said corporation shall complete said road and bridge within five years, but said bridge shall be so constructed as not to interfere with, injure, or interrupt the navigation of said stream.

SEC. 7. That after the completion of said bridge and road, said company are hereby authorized to demand and receive, from passengers who may cross said bridge, not more than the following rates of toll, to wit:

For every horse with rider, five cents;

For every horse, mule, or ass, three years old or upwards, led or driven, two cents;

For every common two or four wheeled carriage, drawn by one horse or mule, six and one-fourth cents;

For every common two or four wheeled carriage, drawn by two horses, mules, or oxen, ten cents;

For each additional horse, mule, ass, or ox, three cents;

For every pleasure carriage, drawn by one horse, ten cents;

For every pleasure carriage, drawn by two horses, fifteen cents;

For each additional horse, three cents;

For every sleigh, drawn by one horse or mule, five cents;

For every sleigh or sled, drawn by two horses, mules, or oxen, six and one-fourth cents;

For each additional horse, mule, or ox, two cents;

For every score of neat cattle, six months old and upwards, twelve and a half cents;

For every score of sheep, six months old and upwards, ten cents ;

For every score of hogs, six months old and upwards, ten cents ;

Provided, that all troops of the United States, and of this state, with their baggage, animals, and stores, persons attending elections and musters, all persons who are or may hereafter be exempt from the payment of ferriage in this state, all persons attending places of worship, all funeral processions, all persons who have served the United States in the present war with Mexico, and all persons, animals, and conveyances, carrying the mails of the United States, may pass said bridge free from the tolls aforesaid.

SEC. 8. That if said company, or any of its agents, shall demand and receive any higher or greater tolls than may be hereby allowed, said company and their agents shall be subject to the like fines and penalties which are or may be provided in cases of fines.

SEC. 9. The general assembly of this state shall have power to require said corporation, and all agents thereof, to report, in such manner as may be provided by the said general assembly, the amount of all tolls, profits and expenses of said corporation, and shall have power to purchase said bridge or road, at a valuation to be ascertained as may be prescribed by law, and shall have power to reduce the rates of toll, at any time after five years from the time when said company shall first receive any tolls.

SEC. 10. That this corporation, and the members thereof, shall be subject to all the liabilities, restrictions, and provisions of the act instituting proceedings against corporations not possessing banking powers, and the visitatorial powers of courts, and to provide for the regulation of corporations generally, passed March seventh, one thousand eight hundred and forty-two.

WILLIAM P. CUTLER,

*Speaker of the House of Representatives.*

EDSON B. OLDS,

*Speaker of the Senate.*

February 8, 1847.

---

#### AN ACT

To amend the act entitled "an act to incorporate the city of Columbus in the state of Ohio."

SEC. 1. *Be it enacted by the General Assembly of the State of Ohio,* That the boundaries of the city of Columbus, as defined in the first section of the act entitled, "an act to incorporate the city of Columbus in the state of Ohio," be and is hereby extended so as to include within its limits the following described territory in Franklin county, to wit: beginning at the intersection of the south line of south public lane, or the Livingston road, so called, and the east line of Seventh street, and then run east with said road to the east line of Washington avenue; thence north, twelve degrees west, along the east line of Washington avenue to the south line of old Allum creek road; thence westwardly along the south line of said road to the harbor road, so called; thence south along the east line of said harbor road

to the north line of north public lane; thence west along the north line of north public lane to the east line of Fourth street in the city of Columbus; thence south, twelve degrees east, along the east line of Fourth street to the north line of Broad street; thence north, seventy-eight degrees east, along the north line of Broad street to the east line of Seventh street; thence south, twelve degrees east, along the east line of Seventh street to the place of beginning; and also, so much territory as is included within the following limits, to wit: beginning on the south line of Friend street and the east bank of the canal, and run north, seventy-eight degrees east, along the south line of Friend street to the west line of Scioto lane; thence south, twelve degrees east, along the west line of said lane to the south line of south public lane; thence east to the west line of Front street; thence south, twelve degrees east, along the west line of Front street to a point due west from the centre of in-lot number six hundred and sixty-eight in the city of Columbus; thence west along the south line of E. Rockwell's lot and the south line R. Armstrong's land, known as Point Pleasant, and continued west to the east bank of the canal; thence northwardly along the east bank of the canal to the place of beginning.

SEC. 2. That all acts and parts of acts conflicting with the provisions of this act be and the same are hereby repealed.

WILLIAM P. CUTLER,  
*Speaker of the House of Representatives.*  
 EDSON B. OLDS,  
*Speaker of the Senate.*

February 8, 1847.

---

#### AN ACT

Providing for the inspection of sawed lumber and shingles in Hamilton county.

SEC. 1. *Be it enacted by the General Assembly of the State of Ohio,* That the court of common pleas of Hamilton county, shall appoint one inspector of sawed lumber and shingles for said county, which inspector shall have authority to appoint as many deputies as may be requisite to transact the business, he being responsible for their acts; he shall hold his office for the term of three years, and until his successors be appointed and qualified, and give bond and approved security, payable to the state of Ohio, to be approved by said court, in the penal sum of one thousand dollars, to faithfully perform the duties of his office: Provided, that nothing herein contained shall dispossess the present incumbent from office, who was appointed under former acts of the General Assembly, until the expiration of three years from the date of such appointment.

SEC. 2. That all sawed lumber, not the manufacture of this state, shall be subject to inspection, at request of the purchaser and seller, or either of them, the party so requiring the inspection to be liable to the fees therefor.

SEC. 3. In inspecting sawed lumber, plank and boards shall be distinctly marked with a scratcher, on each, in legible characters, the quality of such plank or board, and the quantity it contains; clear plank or boards shall be free from sap and wind-shakes, and not contain more than three small knots; first common plank or boards to be free from rot and large knots, and suitable for planing; and second common, such as are used for the common purposes of fencing, sheathing, &c.; in fixing the contents of said plank or boards, the inspector is to deduct one half of the extent of splits, and when inspected and marked according to the provisions of this act, said lumber is to be received and sold accordingly.

SEC. 4. Joist are to be inspected and designated as first and second qualities, the first quality to be sound and square edged, and the second to include all other descriptions, and to be marked in the manner provided for in the preceding section.

SEC. 5. Such inspector shall exercise his best skill and judgment in the inspection of all shingles manufactured out of this state, which are hereby required to be inspected previous to being sold at the place where offered for sale; he shall have an instrument for drawing the shingles, to enable him to judge of their quality; and shall legibly brand or mark, on the hoop or binding of each bundle, his name, as inspector, and the quality of the shingles, which shall be classed as first second and third qualities; any person selling such shingles without their being previously inspected, shall be liable, in a civil suit, to twice the amount of fees allowed under the provisions of this act, to be recovered by such inspector, before any justice of the peace or court in Hamilton county.

SEC. 6. That all sawed lumber manufactured out of this state, and not required by the purchaser or seller to be inspected, shall be subject to measurement by the inspector or his deputies, only, who shall charge and receive fifteen cents per thousand feet, board measure, for the same, to be paid by those employing him; and any person exercising the prerogative of such inspector in the measuring of sawed lumber, shall be subject to the same penalties as are provided for in the previous section of this act.

SEC. 7. That all persons procuring the inspection or measuring of sawed lumber, or the inspection of shingles, shall cause them to be handled and placed in a convenient situation for inspecting or measuring, at their own expense.

SEC. 8. The fees for inspecting and marking sawed lumber shall be twenty cents per thousand feet, board measure, and for inspecting and marking shingles, five cents per thousand.

SEC. 9. This act to take effect and be in force from and after its passage, and all acts heretofore passed that may conflict with the provisions of this act are hereby repealed.

WILLIAM P. CUTLER,  
*Speaker of the House of Representatives.*  
 EDSON B. OLDS,  
*Speaker of the Senate.*

February 8, 1847.



## AN ACT

To authorize the Cleveland, Columbus, and Cincinnati Railroad Company, to construct Side Branches.

**SEC. 1.** *Be it enacted by the General Assembly of the State of Ohio,* That the Cleveland, Columbus, and Cincinnati Railroad Company, may construct side branches or auxiliary railroads to such towns or other places, in the counties through which their principal railroad may be constructed, or in any adjoining county, as the directors of said railroad company may deem expedient; and all such side branches or auxiliary railroads shall, in law, be deemed and taken to be portions of said Cleveland, Columbus, and Cincinnati Railroad, and shall be subject to all restrictions and entitled to all privileges and protection as by law are or may be applicable to the principal railroad: Provided, however, that nothing herein contained shall be construed to authorize said railroad company to construct any such side branches to any place or point in the counties of Stark, Tuscarawas, or Muskingum.

**SEC. 2.** Whenever a majority of the qualified electors of any county through which said principal railroad, or any of such side branches or auxiliary railroads, may be located, shall assent thereto, the commissioners of any such county may subscribe, on behalf of such county, to the capital stock of the said Cleveland, Columbus, and Cincinnati Railroad Company, such amount as such commissioners may deem expedient, not exceeding one hundred thousand dollars; and such proceedings shall be had for obtaining the assent of the electors, and for the management of the interests of said county in said railroad company, and for the payment of such subscriptions, and providing means to pay the interest and principal of the bonds or obligations which may be issued therefor, as are prescribed by the act entitled "an act to authorize the commissioners of Knox and other counties to take stock in a railroad," passed February twenty-fourth, one thousand eight hundred and forty-six.

**SEC. 3.** So much of the act incorporating the Cleveland, Columbus, and Cincinnati Railroad Company, and of any acts amendatory thereto, as may be deemed to oblige said company to construct their railroad to or through any particular place is hereby repealed.

WILLIAM P. CUTLER,

*Speaker of the House of Representatives.*

EDSON B. OLDS,

*Speaker of the Senate.*

February 8, 1847.

## AN ACT

To authorize the city of Dayton to subscribe to the capital stock of railroad companies.

**SEC. 1.** *Be it enacted by the General Assembly of the State of Ohio,* That the city of Dayton is hereby authorized to subscribe to the capital stock of any railroad company or companies, that now is or hereafter may

be chartered for the purpose of constructing a railroad to, from, or through said city of Dayton, any amount which shall not exceed, in the aggregate, fifty thousand dollars.

SEC. 2. That the stock so subscribed shall be applied to the construction of road within twenty-five miles of said city of Dayton.

SEC. 3. That, for the payment of said stock, the said city of Dayton is hereby authorized to borrow money, at a rate of interest not exceeding six per centum per annum, and pledge the faith of the city for the annual payment of the interest and ultimate redemption of the principal; or if the common council of said city should deem it most advisable, they are hereby empowered to pay such subscription in city bonds, to be drawn for that purpose, bearing interest at a rate not to exceed six per centum per annum: Provided, that no bonds shall be paid out at a less rate than par value.

SEC. 4. That said city shall keep an accurate register of all bonds or obligations issued by it under the provisions of this act, showing the dates, numbers, and amount thereof, and to whom and when payable; and it shall, moreover, cause to be kept, in the office of the city recorder, such books and entries as shall fully show all liabilities, receipts and disbursements, and the precise state of indebtedness of the city, in any way arising under this act.

SEC. 5. That the common council of said city may appoint an agent or proxy to vote and act for said city, at all meetings of the stockholders of such companies as said city may be a stockholder in; and said common council may empower such agent, or other person or persons, to perform such services, under the provisions of this act, as the common council of said city shall be of opinion can better be performed by such agent than by said common council.

SEC. 6. That, before any stock shall be subscribed to any railroad under this act, the question shall be submitted to the qualified electors of said city of Dayton whether said city shall become a subscriber, as provided in section one of this act: and to this end it is further provided, that, upon the written application of fifty or more citizens of said city to the common council thereof, it shall be the duty of the mayor of said city to give notice, by advertisement in all the newspapers published in said city, for at least ten days, that such election will be held, setting forth time, place and manner; and such election may be held for that especial purpose, or the question may be decided at any election already provided for by law, as the common council may deem best. The returns of said election shall be made in all respects as provided for other city elections; and if it appear that a majority of the votes given shall be in favor of such subscription, it shall be made, and not otherwise.

SEC. 7. That the said city may sell any stock it may own in any railroad company, and reinvest the proceeds of such sale in the stock of any other railroad company, whenever the voters of said city shall express themselves in favor of such sale and reinvestment, in the same manner as provided for the original subscription, in the preceding section.

SEC. 8. Before the officers of any railroad company shall receive any subscription of stock under this act, they shall procure the assent of the stockholders of such railroad company to the following article, as amendments to their charters, respectively; and any such subscription of stock,

received by any railroad company, shall be evidence that the said company has adopted the said article as an amendment to its charter:

ARTICLE.—The governor shall have power to prescribe what price may be charged by said company for the transportation of the troops and munitions of war belonging to this state and to the United States, should the board of public works at any time entertain the opinion that the prices charged therefor by such company are unreasonably high.

WILLIAM P. CUTLER,  
*Speaker of the House of Representatives.*  
EDSON B. OLDS,  
*Speaker of the Senate.*

February 8, 1847.

#### AN ACT

To incorporate the Eaton and Hamilton Railroad Company.

SEC. 1. *Be it enacted by the General Assembly of the State of Ohio,* That W. H. H. B. Minor, Benjamin Neal, Joseph S. Hawkins, Alfred Denry, George D. Hendricks, William B. Tizzard, Cornelius Vanausdal, Sampson H. Hubbell, Elias Minshaw, of Preble county, and their successors, associates and assigns, be and they are hereby created a body corporate and politic, by the name and style of the Eaton and Hamilton Railroad Company, with perpetual succession; and by that name and style shall be entitled to all the rights and privileges, and subject to all the restrictions and disabilities, of the "act to incorporate the Dayton and Western Railroad Company," passed February fourteenth, eighteen hundred and forty-six, except in so far as the same may be modified by the provisions of this act.

SEC. 2. The capital stock of said company shall be three hundred thousand dollars, and shall be divided into shares of twenty-five dollars each.

SEC. 3. Said company shall have power to construct a railroad, commencing at Eaton, in Preble county; thence, by such route as the directors may select, to the town of Hamilton, in Butler county, and to no other place.

SEC. 4. Said corporation may demand and receive, from all persons using or traveling on said road, or for the transportation of property, such rates of toll as the said corporation may deem reasonable.

WILLIAM P. CUTLER,  
*Speaker of the House of Representatives.*  
EDSON B. OLDS,  
*Speaker of the Senate.*

February 8, 1847.

## AN ACT

To lay out and establish a Free Turnpike Road from Locust Point, in Ottawa county, to the Maumee and Western Reserve Road, in Sandusky county.

SEC. 1. *Be it enacted by the General Assembly of the State of Ohio,* That Peter Burgone, Michael Reede and Adolphus Kramer, are hereby appointed commissioners to lay out and establish a free turnpike road from Locust Point, in Ottawa county, to the Maumee and Western Reserve road, in Sandusky county, by way of Hartford, in said county of Ottawa; said road to intersect the Maumee and Western Reserve road at some point not exceeding two miles west of Lower Sandusky.

SEC. 2. That the taxes for road purposes, for two miles on each side of said road, are hereby appropriated for said road for the term of ten years from the passage of this act: Provided, that no lands within the reservation of two miles square, at the foot of the rapids of the Sandusky river, nor on the south side of the Maumee and Western Reserve road, shall be included in the lands so taxed.

SEC. 3. That, on the west side of said free turnpike road, from Big Muddy creek to the Maumee and Western Reserve road, said tax shall only be appropriated, on the lands lying within one mile of said road.

SEC. 4. That said commissioners shall, in all respects, be governed by an act regulating free turnpike roads, passed March the twelfth, one thousand eight hundred and forty-five, and the acts amendatory thereto.

WILLIAM P. CUTLER,

*Speaker of the House of Representatives.*

EDSON B. OLDS,

*Speaker of the Senate.*

February 8, 1847.

## AN ACT

To revive an act entitled "an act to lay out and establish a graded State road in the counties of Lawrence and Gallia," passed March 1, 1838.

SEC. 1. *Be it enacted by the General Assembly of the State of Ohio,* That Samuel Buck and James Rodgers, of the county of Lawrence, and John McDaniel, of the county of Gallia, be and they are hereby appointed commissioners, and Robert Richey, of Lawrence county, surveyor, to lay out and establish a graded state road, commencing in the county of Lawrence, at the 'hanging rock,' on the Ohio river; thence to Etna furnace; thence to Patriot, in the county of Gallia; and thence to Wilksville, in the last named county.

SEC. 2. That said road shall in no case exceed an angle of five degrees with the horizon; and said commissioners are hereby authorized to receive and collect all subscriptions or donations that may be made for opening and improving said road, or for constructing bridges on the same: and shall appropriate the same, so received, on such part of said road or bridge, or bridges, on the same, as said subscribers or donors shall designate.

SEC. 3. That three hundred dollars of the three per cent. fund, which is or may hereafter become due to the county of Lawrence, be expended under the direction of the commissioners named in the first section of this act, who shall keep an accurate account of the expenditure thereof, and report the same, with the proper vouchers, to the commissioners of said county.

SEC. 4. That in the event of the death or resignation of either of the commissioners, or surveyor, named in this act, or should either of them refuse to serve, or remove out of the county, his place shall be supplied by the commissioners of the county in which the vacancy or vacancies shall happen. The commissioners and surveyor, aforesaid, shall be governed, in all respects, by the law now in force defining the mode of laying out and establishing state roads, and shall receive the fees provided for in said act, passed March fourteen, one thousand eight hundred and thirty-one.

SEC. 5. That all acts or parts of acts relating to the same be and they are hereby repealed.

SEC. 6. This act to take effect from and after its passage.

WILLIAM P. CUTLER,  
*Speaker of the House of Representatives.*  
EDSON B. OLDS,  
*Speaker of the Senate.*

February 8, 1847.

#### AN ACT

To incorporate the Mansfield Academical Institute, and also to amend the act entitled an act to incorporate the Ohio Mechanics' Institute, passed February 9, 1829.

SEC. 1. *Be it enacted by the General Assembly of the State of Ohio,* That Mordecai Bartley, William S. Granger, Elijah W. Lake, Jacob Parker, Joseph Hildreth, Samuel J. Kirkwood, Hugh McFall, William Bushnell, Daniel J. Swinney and Robert Bowland and their associates whom they may associate with them, be and they are hereby created a body politic and corporate, by the name of the Mansfield Academical Institute, to be located at Mansfield, in Richland county, and as such shall have perpetual succession, and be capable of suing and being sued, pleading and being impleaded, in any action or proceeding at law, or in chancery in any court of justice; and also have a common corporate seal, and with power to acquire, possess, and enjoy, and to sell, convey and dispose of property, both real and personal: Provided, that the avails of such property shall not be divided or appropriated to any other than educational purposes.

SEC. 2. That said corporation shall have power to form a constitution and adopt bylaws for its government, to prescribe the number and title of its officers, and define their powers and duties; to prescribe the manner in which members may be admitted and dismissed, and all other powers necessary to the efficient management of its corporate concerns: Provided, that the constitution, bylaws and regulations of the corporation be consistent with the constitution and laws of the United States and of this state.

**SEC. 3.** That the real and personal estate, property, funds, revenue, and prudential concerns of the Ohio Mechanics' Institute and the administration of its affairs, shall be under the direction, management and control of a board of such number of directors as may be determined and agreed upon, according to the provisions of any bylaws that may be adopted, who shall be chosen by the members and contributors thereof, at such time and at such place in the city of Cincinnati, and at such time of the day as shall be defined in said bylaws; which directors shall be members and contributors of said institution; they shall hold their offices for one year, and until their successors shall be chosen; and at the same time and place the said members and contributors shall elect a president, vice president, secretary and treasurer, and all other officers, agents and committees as, from time to time, may be thought necessary, and prescribe their powers and duties; and in all things pertaining to their offices and duties, they shall be governed by the provisions of this act, and the bylaws, rules and regulations of said institution: Provided, that no bylaw, rule or regulation thereof shall, in any wise, be contrary to the constitution and laws of this state or of the United States, and that it shall not be lawful for said institution or any of its officers or agents to emit bills of credit, or any notes as a circulating medium of trade or exchange, nor in any manner engage in the business of banking.

**SEC. 4.** The second section of the act, and all other parts of said act inconsistent with the provisions of this act, be and the same are hereby repealed.

**SEC. 5.** This act to take effect from and after its passage.

WILLIAM P. CUTLER,  
*Speaker of the House of Representatives,*  
 EDSON B. OLDS,  
*Speaker of the Senate.*

February 8, 1847.

---

#### AN ACT

To incorporate the Master, Wardens, and Brethren of the Mount Zion Lodge, number nine.

**SEC. 1.** *Be it enacted by the General Assembly of the State of Ohio,* That Jonathan N. Burr, Jacob B. Brown, William McCreary, Columbus Delano, Benjamin F. Smith, William Bevans, Daniel Axtell, Marvin Tracy, James Smith, Jr., and Emmet W. Cotton, and their associates, composing the Mount Zion Lodge of free and accepted Masons, number nine, in the town of Mt. Vernon, in the county of Knox, and their regular successors, be and they are hereby created a body politic and corporate in perpetual succession, by the name and style of the Master, Wardens, and Brethren of the Mount Zion Lodge, number nine; and by that name are hereby authorized and empowered to acquire, hold and possess, use, occupy and enjoy any estate, real or personal, and the same to lease, sell or otherwise dispose of, pleasure; and that said corporation, by its name-aforesaid, shall be com-

petent to contract and be contracted with, to sue and be sued, plead and be impleaded, answer and be answered unto, defend and be defended in all courts and places whatsoever, and may make and use a common seal, and the same may break, alter and renew at pleasure: Provided, that the property owned by the said corporation shall, at no time, exceed in value the sum of twenty thousand dollars.

WILLIAM P. CUTLER,  
*Speaker of the House of Representatives.*  
 EDSON B. OLDS,  
*Speaker of the Senate.*

February 8, 1847.

#### AN ACT

To revive an act entitled "an act to lay out and establish a free turnpike road from the south line of township five, range twelve, in Wood county, to McCutchensville, in Wyandott county," passed February 11, 1846.

WHEREAS, the commissioners appointed by virtue of the act above referred to, failed to organize within the time prescribed by law, whereby said act was rendered null and void; therefore,

SEC. 1. *Be it enacted by the General Assembly of the State of Ohio,* That the act referred to in the above title, to wit: "an act to lay out and establish a free turnpike road from the south line of township five, range twelve, in Wood county, to McCutchensville, in Wyandott county," be and the same is hereby revived and declared to be in full force from and after the passage of this act.

WILLIAM P. CUTLER,  
*Speaker of the House of Representatives.*  
 EDSON B. OLDS,  
*Speaker of the Senate.*

February 8, 1847.

#### AN ACT

To revive and amend the act entitled "an act to lay out and establish a free turnpike road from the Mad River and Lake Erie Railroad, in the county of Hardin, to the county of Vanwert," passed January 9, 1845.

SEC. 1. *Be it enacted by the General Assembly of the State of Ohio,* That the act entitled "an act to lay out and establish a free turnpike road from the Mad River and Lake Erie railroad, in the county of Hardin, to the county of Vanwert," passed January ninth, one thousand eight hundred and forty-five, be and the same is hereby revived and declared to be in force.

SEC. 2. That the commissioners named in the act to which this is an amendment, shall meet whenever and where they may deem expedient, within one year, and organize in the manner pointed out in said act; they shall have all the powers conferred by said act, perform all the duties, and be liable to all the restrictions thereof.

SEC. 3. The organization of the commissioners of the free turnpike road from Wintersville, in Jefferson county, to Massillon, in Stark county, is hereby declared to be legal, the same as if said organization had taken place at the time specified in the act establishing said road.

WILLIAM P. CUTLER,

*Speaker of the House of Representatives.*

EDSON B. OLDS,

*Speaker of the Senate.*

February 8, 1847.

#### AN ACT

To lay out and establish a Free Turnpike Road from Marysville, in Union county, eastwardly, to the Delaware county line.

SEC. 1. *Be it enacted by the General Assembly of the State of Ohio,* That Robson L. Broom, Ebenezer Mather and Caprian Lee, of the county of Union, be and they are hereby appointed commissioners to lay out and establish a free turnpike road, beginning at Marysville, in Union county, from thence, running eastwardly, to Stephen Dycent's; thence, by William Flanagan's, to the Delaware county line, running as near as practicable in the direction of the state road already located from Marysville to Delaware; and said commissioners shall, in the location, construction and repair of said road, be governed by the provisions of an act entitled "an act to provide for laying out and establishing free turnpike roads," passed March twelve, one thousand eight hundred and forty-five, and the acts amendatory thereto: Provided, nothing in this act shall be so construed as to authorize the application of tax levied for road purposes on property, real or personal, situate more than two miles from said road, on each side thereof, to the construction or repair thereof, as provided, also, that if said road shall be located within less than two miles of any other free turnpike road, then and in that case, the road tax shall be equally divided between said roads: "Provided, that the commissioners aforesaid shall not be authorized to apply the taxes aforesaid to said road for any longer time than five years from the commencement of the construction thereof."

SEC. 2. That the commissioners hereby appointed, and their successors, shall be a corporation, by the name of the Marysville and Delaware Free Turnpike Road.

WILLIAM P. CUTLER,

*Speaker of the House of Representatives.*

EDSON B. OLDS,

*Speaker of the Senate.*

February 8, 1847.



## AN ACT

To amend an act entitled "An act to incorporate the town of Urbana, Champaign county," passed December 29, 1814.

**SEC. 1.** *Be it enacted by the General Assembly of the State of Ohio,* That so much of Urbana township, in the county of Champaign, as is included and described within the limits of the plat of the town of Urbana, as recorded in the office of the county recorder of said county, shall constitute said town corporate, and all the inlots, outlots, streets and alleys thereof, shall be subject to all the bylaws, ordinances and municipal regulations of said town of Urbana.

**SEC. 2.** That there shall hereafter be levied, annually, upon all property within the limits of said corporation, subject to taxation for county purposes, such taxes as the town council may judge to be necessary, for the use of the corporation, not exceeding, for all purposes, two mills on the dollar, for any one year.

**SEC. 3.** That every person residing within said town of Urbana, liable to perform labor on the highway, may perform, within the limits of said corporation, one of the two days now required by law to be performed on the highway.

WILLIAM P. CUTLER,  
*Speaker of the House of Representatives.*  
EDSON B. OLDS,

February 8, 1847.

*Speaker of the Senate.*

## AN ACT

For the relief of Elzy Wilson.

WHEREAS, Elzy Wilson did become the purchaser of the west half of the southeast quarter of section sixteen, township twenty, of range sixteen, in Richland, now Ashland county, of one John Grindle, with the express understanding that the said John Grindle had punctually paid the interest upon the principal yet unpaid upon the purchase of said lot of land; and whereas, it appears that the said John Grindle had not paid the interest aforesaid, and, therefore, the above mentioned lot of land became forfeited on the first day of January, one thousand eight hundred and forty-seven, for the nonpayment of the interest aforesaid; therefore,

**SEC. 1.** *Be it enacted by the General Assembly of the State of Ohio,* That, if Elzy Wilson, his heirs or assigns, shall pay into the treasury of Richland county, the full amount of the principal and interest now due, and that may become due against the fourth day of July, one thousand eight hundred and forty-seven, upon the west half of the southeast quarter of section sixteen, township twenty, of range sixteen, a deed shall issue according to the law authorizing the sale of said section sixteen, as if said forfeiture had not taken place.

WILLIAM P. CUTLER,  
*Speaker of the House of Representatives.*  
EDSON B. OLDS,

February 8, 1847.

*Speaker of the Senate.*

## AN ACT

To authorize the sale of certain school lands in Seneca and Wyandott counties.

**SEC. 1.** *Be it enacted by the General Assembly of the State of Ohio,* That section sixteen, in township three, south of range twelve, east, in Wyandott county; also, section sixteen, and the south half of section thirty-two, in township three, south of range thirteen, east, in said Wyandott county; and also the school lands belonging to Reed township, in Seneca county, be and the same are hereby authorized to be sold: Provided, that no part thereof shall be sold for less than the appraised value thereof; and such sales shall, in all respects, be conducted and governed by the provisions of an act entitled "an act to regulate the sale of ministerial and school lands, and the surrender of permanent leases thereto," passed February second, one thousand eight hundred and forty-three, and in accordance with an act entitled "an act to fix the minimum price of the sales of school lands," passed March fourth, one thousand eight hundred and forty-five.

WILLIAM P. CUTLER,  
*Speaker of the House of Representatives.*  
EDSON B. OLDS,  
*Speaker of the Senate.*

February 8, 1847.

## AN ACT

To lay out and establish a Free Turnpike Road from McCutchensville, in the county of Wyandott, to Oceola, in the county of Crawford, in the State of Ohio.

**SEC. 1.** *Be it enacted by the General Assembly of the State of Ohio,* That John L. Shafer and Boswell Perry, of McCutchensville, in the county of Wyandott; William H. Zeiglar and Robert Andrews, of Oceola, in the county of Crawford, be and they are hereby appointed commissioners to lay out and establish a free turnpike road from McCutchensville, in the county of Wyandott, to Oceola, in the county of Crawford.

**SEC. 2.** The commissioners aforesaid, and their successors, shall be a corporation by the name and style of the McCutchensville and Oceola Free Turnpike Road; and they shall be governed, in all things, by the provisions of the act to provide for laying out and establishing free turnpike roads, passed March twelfth, one thousand eight hundred and forty-five, and the act amendatory thereto.

WILLIAM P. CUTLER,  
*Speaker of the House of Representatives.*  
EDSON B. OLDS,  
*Speaker of the Senate*

February 8, 1847.

## AN ACT

To enable the constituted authorities of the town of Cumberland, in Guernsey county, to make certain improvements.

SEC. 1. *Be it enacted by the General Assembly of the State of Ohio,* That the corporate authorities of the town of Cumberland, in Guernsey county, are hereby fully authorized and empowered to curb and pave the sidewalks, and stone the main street and the south end of the main cross street, in said town; and to enable them to accomplish this work, that they hold each lot fronting on those streets bound for its equitable share, according to the value of said lots and improvements on the same, of the expenditure necessary to accomplish said work, except so far as each individual owning such lot or lots shall voluntarily contribute, for which voluntary contribution the owner shall stand credited.

SEC. 2. The corporate authorities shall have power to sue delinquent lot owners before any court of competent jurisdiction, and prosecute their suits to judgment and execution, which execution shall be levied upon the lot or lots of such delinquent owners; and the same shall be sold, for the purpose of paying such delinquency, and cost of suit.

SEC. 3. The said corporate authorities are required to appropriate such subscriptions as they may receive from the people of the vicinity, who are not lot owners in said town, and the surplus subscription of those who are lot owners, equitably, to aid those lot owners who are least able to bear their part of the necessary expenditure in the accomplishment of said work.

SEC. 4. That so much of any law which conflicts with the provisions of this law, be and the same is hereby repealed.

WILLIAM P. CUTLER,

*Speaker of the House of Representatives.*

EDSON B. OLDS,

*Speaker of the Senate.*

February 8, 1847.

## AN ACT

To lay out and establish the Hull Prairie Free Turnpike Road.

SEC. 1. *Be it enacted by the General Assembly of the State of Ohio,* That Seneca E. Sterling and Henry Wetmore, of the county of Wood, be and they are hereby appointed commissioners to lay out and establish a free turnpike road, to commence at the road leading from Perrysburg to Gilead, on the line between river tracts sixty-one and sixty-two, and run thence due south, or as near a due south course as practicable, to be on the best ground for a road to intersect a county road running east and west through the centre of section two, in township five, north, range ten, east, in Wood county.

SEC. 2. That said commissioners, and their successors in office, shall be a body corporate, by the name and style of the Hull Prairie Free Turnpike Road; and shall be governed, in all their proceedings, by the provi-

sions of the act to provide for laying out and establishing free turnpike roads, passed March twelve, one thousand eight hundred and forty-five, and the acts amendatory thereto, except so far as the same may be modified or changed by this act.

SEC. 3. That the county commissioners of Wood county be and they are hereby authorized and required, annually, at their June session in each year, to levy a tax of six cents on each acre of land within one mile on each side of said road, (and south of the south line of said river tracts sixty-one and sixty-two,) until the expenses of the construction of said road shall be paid for: Provided, that no lands north of the north line of the south half of section fourteen, in the township one, in the twelve mile reservation, in Wood county, be taxed for the aforesaid road: that the said taxes shall be assessed upon the grand duplicate of the county, and collected as other taxes for state and county purposes.

SEC. 4. That the aforesaid commissioners, and their successors in office, are hereby authorized to locate and construct said road in a substantial manner; and for all labor performed, or materials furnished, in the construction and repair of said road, said commissioners are hereby authorized and required to give to the contractors and laborers on said road a certificate of such amount as may be due them for work done or materials furnished, directed to the auditor of Wood county, who is required to issue orders on the county treasurer for the amount due the holders of said certificates, payable out of the funds arising from the proceeds of the aforesaid taxes. Said orders shall draw interest from their date, at the rate of six per cent. per annum.

SEC. 5. That, after the auditor and treasurer shall have made their annual settlement, the auditor shall declare a dividend, to be paid on said orders out of said fund, in proportion to the amount of orders issued and outstanding, which amount shall be paid by the treasurer, on the presentation of said orders. This act to take effect from and after the passage thereof.

WILLIAM P. CUTLER,

*Speaker of the House of Representatives.*

EDSON B. OLDS,

*Speaker of the Senate.*

February 8, 1847.

#### AN ACT

To amend an act entitled "An act to provide for the alteration and completion of the State Road from Painesville, in Lake county, to Bloomfield, in Trumbull county," passed February 19, 1846.

WHEREAS, it is represented that, in making the alterations in said road, by the commissioners appointed by said act, it is represented that said commissioners have laid out such alterations so as injuriously and unnecessarily to do much damage to farms; and whereas, on account of the new valuation, the aggregate amount authorized by said act to be raised for the purposes of said road is greatly increased; therefore,

**SEC. 1.** *Be it enacted by the General Assembly of the State of Ohio,* That said commissioners be authorized, on or before the first Monday in May next, to review and relocate such alterations and make such other alterations as will, as far as may be consistent with the public good, and avoid such injury and damages, and better subserve the public interest; and the auditors of the counties through which said road runs, shall not levy a greater tax in said counties, respectively, than by the act to which this is an amendment, they were authorized to raise under the former valuation, as far as they can conveniently determine the same.

**SEC. 2.** In the further proceedings of said commissioners, they shall as far as may be regulated and paid according.

WILLIAM P. CUTLER,  
*Speaker of the House of Representatives.*  
EDSON B. OLDS,  
*Speaker of the Senate.*

February 8, 1847.

---

#### AN ACT

To amend the "Act to lay out and establish a Free Turnpike Road from Woodville, through Rollersville, in Sandusky county," passed February 9, 1846.

**SEC. 1.** *Be it enacted by the General Assembly of the State of Ohio,* That, hereafter, the commissioners of Sandusky county shall not be authorized to levy the additional tax of five mills, authorized by the third section of the act "to lay out and establish a Free Turnpike Road from Woodville through Rollersville, in Sandusky county," passed February nine, one thousand eight hundred and forty-six, on the following lands, to wit: commencing at the north termination of said road, at Woodville, on the centre line of section number twenty-eight; thence south, to the south line of township number six, and thence west, so far as the lands authorized to be taxed for said road may extend; thence north, to the termination of the lands authorized to be taxed for said road; nor shall said commissioners hereafter levy said additional tax on any lands, now subject to said tax, north of the Maumee and Western Reserve Road.

**SEC. 2.** All parts of acts conflicting herewith, are repealed.

WILLIAM P. CUTLER,  
*Speaker of the House of Representatives.*  
EDSON B. OLDS,  
*Speaker of the Senate.*

February 8, 1847.

## AN ACT

Accepting the charter and franchises of the First Range Turnpike Company, in Ashtabula county, and declaring their road a Free Turnpike Road.

WHEREAS, it is shown to the general assembly, that the stockholders of the First Range Turnpike Company, in Ashtabula county, incorporated February twenty-two, one thousand eight hundred and twenty, at their annual meeting, on the first Monday of January, one thousand eight hundred and forty-six, by an entry on their journals, relinquished the said road, and forever dedicated it to the public as a free turnpike road, and now, by their agent, Merriman Barber, a stockholder, desire that the same, by the general assembly, be declared a free turnpike road; therefore,

SEC. 1. *Be it enacted by the General Assembly of the State of Ohio,* That the road of the said company, leading from the north line of township number twelve, in the first range of townships of the Connecticut Western Reserve, in Ashtabula county, to the south line of township number ten, in the same range, in the same county, be and is hereby declared to be a free turnpike road, and the charter of the said First Range Turnpike Company is rescinded and repealed, and its franchises resumed by the state.

SEC. 2. Lemuel Moffatt, Archibald Gould and Merriman Barber are appointed commissioners of said road, to lay out and expend, in the repair and support of said road, the avails of the taxes hereinafter mentioned.

SEC. 3. The taxes for road purposes, for a mile and a half on the west side and a mile and a quarter on the east side of said road, are hereby appropriated for said road, for the term of ten years after the passage of this act: Provided, that this section, so far as the same applies to land, shall be considered as applying only to such lots and parts of lots, the one-half or more of which is within one mile and a half of the west side, and one mile and a quarter of the east side of said road.

SEC. 4. All supervisors of highways in the districts through which said road passes, shall be at liberty to apply on said road such portion of the two days' labor as they shall deem proper.

SEC. 5. Said road and commissioners are hereby declared subject to and shall be governed and regulated by the act entitled "an act to provide for laying out and establishing free turnpike roads," passed March twelve, one thousand eight hundred and forty-five," so far as the same is consistent with this act.

WILLIAM P. CUTLER,

*Speaker of the House of Representatives.*

EDSON B. OLDS,

*Speaker of the Senate.*

February 8, 1847.

## AN ACT

To lay out and establish a Free Turnpike Road from the Findlay road to the McCutchensville road, in Wood county.

SEC. 1. *Be it enacted by the General Assembly of the State of Ohio,* That William Cook and Schuyler N. Beach, of Wood county, be and they are hereby appointed commissioners to lay out and establish a free turnpike road, to commence at the Findlay road, on the section line between sections nineteen and thirty, in township four, in the twelve mile reservation, in Wood county, and runs thence east, on the most suitable ground, to the McCutchensville road.

SEC. 2. That said commissioners, and their successors in office, shall be a body corporate, by the name and style of the Findlay Road and McCutchensville Road Free Turnpike, and shall be governed in all their proceedings by the provisions of the "act to provide for laying out and establishing free turnpike roads," passed March the twelfth, one thousand eight hundred and forty-five, and the acts amendatory thereto, except so far as the same may be modified or changed by this act.

SEC. 3. That the county commissioners of the county of Wood be and they are hereby required, annually, at their June session, in each year, to levy a tax of six cents on each acre, upon all the real estate within one-half mile, on each side of said road, and three cents on each acre upon all the real estate upon the next adjoining half mile, on each side of said road. The aforesaid taxes to be levied only on the real estate lying between the said Findlay and McCutchensville road. That the said taxes shall be assessed and collected upon the grand duplicate of the county, as other taxes for state and county purposes.

SEC. 4. That the aforesaid named commissioners, and their successors in office, are hereby authorized to locate and construct said road in such a manner as will be most suitable for the purposes of a road, and to drain the adjoining lands; and for all labor performed, or materials furnished in the construction of said road, said commissioners are hereby authorized and required to give to the contractors and laborers on said road, a certificate of such amount as may be due them for work done or materials furnished, directed to the auditor of the county of Wood, who is required to issue orders on the county treasurer of Wood county for the amount due the holders of said certificates, payable out of the funds arising from the proceeds of the aforesaid taxes. Said orders shall draw interest from their date, at the rate of six per cent. per annum. After the auditor and treasurer shall have made their annual settlement, the county auditor shall declare a dividend to be paid on said orders, out of said fund, in proportion to the amount of orders issued and outstanding, which amount shall be paid by the treasurer, on the presentation of said orders.

WILLIAM P. CUTLER,

*Speaker of the House of Representatives.*

EDSON B. OLDS,

*Speaker of the Senate.*

February 8, 1847.

## AN ACT

For the relief of Zachariah P. Jones.

SEC. 1. *Be it enacted by the General Assembly of the State of Ohio,* That the board of public works is hereby authorized to examine the claim of Zachariah P. Jones for a certain duebill which is in the words and figures following, to wit: "Due Z. P. Jones, at the first estimate and payment that's made on section 10, of the Miami Canal Extension north of Piqua, one thousand and seventy-one dollars, the balance in full for the laying and cutting stone in culvert on said section 10. January 13, 1842. Rob't Laramore, agent." Upon the back of which are the following indorsements: "\$140; Received on the within duebill one buggy, at one hundred and forty dollars." "\$100; Received on the within duebill one hundred dollars." "May 21, 1842, duebill lifted by E. G. Barney, which is yet in his possession, two hundred and twenty-two dollars." And also the claim of Cephus Carey for a certain duebill which is in the following words and figures, viz: "Due C. Carey, at the first estimate and payment that's made on section 10 of the Miami Canal Extension north of Piqua, forty-four dollars and sixty-three cents, in full for hauling stone on said section 10. January 10, 1842. Rob't Larimore, Ag't." And if they shall be satisfied that said claims are just, to allow said claims, and the amount so allowed shall be paid out of the proceeds of bonds issued under the "act providing for the payment of certain debts on the public works of the state," passed March second, one thousand eight hundred and forty-six; and that for the payment of said claims, the fund commissioners shall make the necessary appropriation.

SEC. 2. That before the said board shall proceed to settle the claims aforesaid, the said Jones and Carey, severally, shall file with the said board, their written agreements to abide by and agree to the decision of said board as being final and conclusive between the parties.

WILLIAM P. CUTLER,  
Speaker of the House of Representatives.  
EDSON B. OLDS,  
Speaker of the Senate.

February 8, 1847.

## AN ACT

To incorporate the Independent Hook and Ladder Company of Massillon, in Stark county.

SEC. 1. *Be it enacted by the General Assembly of the State of Ohio,* That H. H. Watson, John Danner, J. R. Schertzer, M. W. Watson, D. B. Wilson, and C. K. Skinner, of Massillon, in Stark county, and their associates and those who may hereafter associate with them, and their successors, be and they are hereby created a body corporate and politic, under the name and style of the Independent Hook and Ladder company of Massillon, with succession for thirty years: and as such be competent to



contract and be contracted with, to sue and be sued, in all courts of this state, and they shall have power to acquire and hold property, real, personal and mixed, to the value of not more than five thousand dollars, and the same to sell and convey at pleasure; but said company shall not have power to acquire or hold any property not necessary for the purpose of the association, which is hereby declared to be to aid in the extinguishment of fires in the town of Massillon.

SEC. 2. That said company may have a common seal and may alter or amend the same at pleasure, and shall have power to make and enforce such bylaws, not inconsistent with the constitution and laws of this state or of the United States, as they may deem proper for the organization and good government of its members, and management of their corporate affairs.

SEC. 3. That said company shall designate by their constitution and bylaws what offices [officers] they may deem necessary for the good government of the company, and prescribe their duties, and such officers shall be elected, annually, on the second Saturday in April, and hold their offices one year and until their successors are chosen; and in case no election be had on the day herein appointed, the presiding officer of the company may appoint such other day for an election as he may think proper.

SEC. 4. That the active members of said company, while belonging to the same, and while said company remains regularly organized and supplied with suitable apparatus for the objects and purposes of said company, shall be exempt from doing military duty in time of peace.

SEC. 5. That the active members of said company shall meet at least once in every two months for the transaction of business, and for the exercising and using said apparatus.

WILLIAM P. CUTLER,  
*Speaker of the House of Representatives.*  
EDSON B. OLDS,  
*Speaker of the Senate.*

February 8, 1847.

#### AN ACT

To incorporate certain towns therein named.

SEC. 1. *Be it enacted by the General Assembly of the State of Ohio,* That so much of the township of Flushing, in the county of Belmont, as is included in the recorded plat of the town of Flushing, or that may hereafter be included in the town plat of said town, is hereby created a town corporate, to be known and designated by the name of the town of Flushing, and by that name shall be a body corporate and politic, with perpetual succession.

SEC. 2. That so much of the township of Harrison, in the county of Darke, as now is or may hereafter be included in the recorded plat of the town of Holensburg, is hereby created a town corporate, to be known and designated by the name of the town of Holensburg, and by that name shall be a body corporate and politic, with perpetual succession.

SEC. 3. That so much of the township of Salem, in the county of Jefferson, as now is or may hereafter be included in the recorded plat of the town of Springfield, is hereby created a town corporate, to be known and designated by the name of the town of Springfield, and by that name shall be a body corporate and politic, with perpetual succession.

SEC. 4. That so much of the township of Madison, in the county of Franklin, as is included or may hereafter be included in the recorded plats of the towns of Werts Grove and Rareysport, is hereby created a town corporate, to be known and designated by the name of the town of Groveport, and by that name shall be a body corporate and politic, with perpetual succession.

SEC. 5. That so much of the township of Monroe, in the county of Miami, as is included or may hereafter be included in the recorded plat of the town of Hyattsville, is hereby created a town corporate, to be known and designated by the name of the town of Hyattsville, and by that name shall be a body corporate and politic, with perpetual succession.

SEC. 6. That so much of the township of Lick, in the county of Jackson, as now is or may hereafter be included in the recorded plat of the town of Jackson, is hereby created a town corporate, to be known and designated by the name of the town of Jackson, and by that name shall be a body corporate and politic, with perpetual succession.

SEC. 7. That the towns named in the preceding sections of this act shall, severally, be entitled to all the privileges and subject to all the restrictions of the act entitled "an act for the regulation of incorporated towns," passed February sixteenth, one thousand eight hundred and thirty-nine, and the acts amendatory thereto.

SEC. 8. The limits of the borough of Harlem, in Carroll county, [are] hereby confined to the west half of section four, and the east half of section ten, in township thirteen, and range five, in Carroll county; and all laws or parts of laws inconsistent with this section are hereby repealed.

SEC. 9. This act shall take effect from its passage.

WILLIAM P. CUTLER,  
Speaker of the House of Representatives.  
EDSON B. OLDS,  
Speaker of the Senate.

February 8, 1847.

#### AN ACT

To amend the act to authorize the City Council of Cincinnati to erect a House of Correction.

SEC. 1. *Be it enacted by the General Assembly of the State of Ohio,* That the city council of the city of Cincinnati shall be and are hereby authorized to purchase a lot or lots of land, in or out of the corporate limits of said city, within the county of Hamilton, of sufficient size to accommodate the necessary buildings for houses of correction and reformation, and to erect one or more buildings thereon, for the following institutions: First, a house of correction, for the confinement and punish-

ment of such males over sixteen and females over fourteen years of age, as are hereinafter described; Second, a house of refuge, for the confinement and reformation of such males under sixteen and females under fourteen years of age, as are hereinafter described.

SEC. 2. That any male under sixteen and female under fourteen years of age, who shall, under existing laws or those hereafter enacted, be liable to confinement in the county jail of the county of Hamilton, or in the penitentiary of the state of Ohio, from the county of Hamilton, may, at the discretion of the court or magistrate giving sentence, be placed in said house of reformation, and, when so placed, shall be, until of legal age, under the exclusive control of the directors of said house, according to the regulations hereinafter provided, and may by them be apprenticed in the usual manner, with the written consent of the court or magistrate that gave sentence in the case, be discharged: Provided, that in all cases of commitment to said house of reformation by a justice of the peace, an appeal shall be to the court of common pleas of Hamilton county.

SEC. 3. That the directors of said house be authorized to receive all males under sixteen and females under fourteen years of age, when parents or guardians, or the township trustees of the different townships in the county of Hamilton, and in cases where they would be authorized to apprentice such minors, shall present them as proper subjects for said house; and, in all cases, when received, said minors shall be under the entire control of the directors of said house until of legal age: Provided, that any inmate of said house of reformation, whether received upon the application of any parent, guardian or township trustee, or in consequence of the sentence of any court or magistrate, may be discharged at any time upon the order of the directors of said house.

SEC. 4. That said houses of correction and reformation, whether united in one building or not, shall be under the control of the board of directors, consisting of nine members, five appointed by the city council of the city of Cincinnati, two by the court of common pleas for Hamilton county, and two by a meeting advertised in three of the daily papers of Cincinnati, during six days previous to the time of meeting, composed of the individuals who may contribute toward the building and the support of the house of reformation, either fifty dollars for life membership or five dollars yearly: Provided, first, that notice of such meeting shall be given by the common council of the city of Cincinnati; second, that said contributors shall not be fewer than one hundred, and that until that number be obtained, the city of Cincinnati shall not be authorized to proceed with the building of said house of correction and reformation.

SEC. 5. That the first, third, sixth and ninth sections of the act to which this is an amendment, and all other parts of said act inconsistent with the provisions of this act, be and the same are hereby repealed.

WILLIAM P. CUTLER,

*Speaker of the House of Representatives.*

EDSON B. OLDS,

*Speaker of the Senate.*

February 8, 1847.

## AN ACT

Further to amend the act entitled "An act to incorporate the City of Chillicothe," passed March 14th, 1838.

SEC. 1. *Be it enacted by the General Assembly of the State of Ohio,* That the president and council of the city of Chillicothe be and they are hereby authorized and empowered to pass ordinances to prevent any person or persons from erecting, or causing to be erected, any wooden mansion or dwelling-house, store, shop, warehouse, carriage-house or stable within such parts of the said city as the president and council shall, by their ordinances, from time to time describe and limit.

SEC. 2. That so much of the tenth section of an act entitled "an act to incorporate the city of Chillicothe, in the state of Ohio," passed March fourteenth, eighteen hundred and thirty-eight, as conflicts with the provisions of the first section of this act, be and the same is hereby repealed.

WILLIAM P. CUTLER,

*Speaker of the House of Representatives.*

EDSON B. OLDS,

*Speaker of the Senate.*

February 8, 1847.

## AN ACT

To incorporate the Urbana Lodge, No. 46, of the Independent Order of Odd Fellows.

SEC. 1. *Be it enacted by the General Assembly of the State of Ohio,* That Erastus Sheldon, Joshua Saxton, Abraham R. Caldwell, John A. Mosgrove, John A. Corwin, William T. Slater, Decatur Talbott and Samuel K. Robinson, and their associates, members of the Urbana Lodge, number forty-six, of the Independent Order of Odd Fellows, of the state of Ohio, and their regular successors, be and they are hereby created a body corporate and politic, for the term of thirty years in succession, by the name and style of the Urbana Lodge, number forty-six, of the Independent Order of Odd Fellows, of the State of Ohio, for the purpose of more effectually relieving the members and their families afflicted with sickness and disease, and who may be in distressed circumstances; and by that name, shall be competent to contract and be contracted with, to sue and be sued, plead and be impleaded, defend and be defended in all courts and places, and in all matters whatsoever, with full powers and lawful authority to acquire, hold, use, occupy and enjoy, by purchase, gift, grant or devise, any personal or real property, in the town of Urbana, in Champaign county, that is necessary for carrying out the objects of said lodge, and the same to sell, convey and improve, by erecting a building in said town of Urbana; to make, have and use a common seal, and the same to alter, break or renew at pleasure; to appoint or elect such officers as they may deem necessary, to prescribe their general duties, and require of them such security as they may deem proper to secure the faithful performance of their duties, and

they may renew them at pleasure; to make, ordain, establish and put in execution such bylaws, rules and regulations, not inconsistent with the constitution and laws of this state, and the United States, as shall be necessary for the good government of said society, and the prudent and official management of its concerns: Provided, that, in no case, shall any member be allowed more than one vote on the same question.

SEC. 2. That William B. McAroy, J. K. Lawder, George Lane, John T. Eichelberger, William A. Sherey, Abia Zeller, and their associates and successors, members of Friendship Lodge of the Independent Order of Odd Fellows, be and they are hereby created a body corporate and politic, under the name and style of Friendship Lodge, number twenty-one, of the Independent Order of Odd Fellows, of Germantown, Ohio, and shall have all the rights and privileges, and be subject to all the restrictions provided for Urbana Lodge, number forty-six, in the preceding section of this act.

WILLIAM P. CUTLER,

*Speaker of the House of Representatives.*

EDSON B. OLDS,

*Speaker of the Senate.*

February 8, 1847.

#### AN ACT

To amend the act to incorporate the Carroll County Railroad Company.

SEC. 1. *Be it enacted by the General Assembly of the State of Ohio,* That Charles Fawsett, Samuel Sterling, William Thompson, Joseph G. Kennedy, James Cameron, C. V. McMillen, A. L. Littell, William Baxter, Thomas R. Harbaugh, and E. R. Eckley, are hereby appointed commissioners, in addition to those heretofore appointed, to open books for the subscription of stock to said company, any five of whom may open books for such subscription, at any time or place they may see fit, after giving the notice required in the acts to which this is an amendment, and whenever ten thousand dollars shall be subscribed, an election of directors shall be held.

SEC. 2. That when compensation shall be claimed by any person for lands or materials taken by said company for the location or construction of said road, the court and commissioners shall set off against any such claim, any advantage said road may be to such claimant.

SEC. 3. The president and directors of said company shall have power to purchase all cars and other fixtures that they shall deem necessary for the purpose of carrying freight and passengers on said road, which said cars and fixtures shall be paid for out of any funds belonging to said company.

SEC. 4. All acts or parts of acts inconsistent with this act, be and the same are hereby repealed.

WILLIAM P. CUTLER,

*Speaker of the House of Representatives.*

EDSON B. OLDS,

*Speaker of the Senate.*

February 8, 1847.

## AN ACT

To authorize the sale of lots number one and five of section sixteen, Beaver Creek township, Greene county.

SEC. 1. *Be it enacted by the General Assembly of the State of Ohio,* That lots number one and five of school section sixteen, being section sixteen, in township number three, range seven, in Beaver Creek township, Greene county, be and the same is hereby authorized to be sold: Provided, that no part thereof shall sell for less than the appraised value thereof; and such sales shall, in all respects, be governed by the provisions of an act entitled "an act to regulate the sale of ministerial and school lands, and the surrender of permanent leases thereto," passed February second, one thousand eight hundred and forty-three, and in accordance with the "act to fix the minimum price of the sale of school lands," passed March fourth, one thousand eight hundred and forty-five.

WILLIAM P. CUTLER,  
*Speaker of the House of Representatives.*  
EDSON B. OLDS,  
*Speaker of the Senate.*

February 8, 1847.

## AN ACT

To authorize the mayor and common council of the town of Minster, in the county of Mercer, to levy a tax for making sidewalks and other improvements in said town.

SEC. 1. *Be it enacted by the General Assembly of the State of Ohio,* That the mayor and common council of the town of Minster, in the county of Mercer, be and they are hereby authorized to levy a tax of not exceeding five mills on the dollar, on all property in said town entered on the grand levy for taxation, which sum, so levied and collected, shall be expended by the said authorities of said town in constructing sidewalks, and such other improvements in said town as the said authorities shall deem proper: Provided, that every person so taxed, shall have the liberty of discharging said tax by labor, at seventy-five cents per day, or by furnishing materials at such price as may be agreed upon by said town authorities.

SEC. 2. The said authorities shall, annually, on or before the first Monday of March, return to the auditor of Mercer county the per centum they determine to levy, according to the provisions of this act, which shall be included by said auditor in the tax against the taxable property of the person, resident in said town, or owning property therein, as appears by the duplicate, and collected by the treasurer of the county, in the same manner as the two mills extra road tax, levied by township trustees, is now collected; and the amount of such tax shall be returned to the mayor of said town, by the county auditor, in the manner that said taxes are now returned to the clerks of townships.

**SEC. 3.** The said mayor and town council shall give notice to the persons resident in said town having such tax to pay, of the amount thereof, and of the time when the same can be discharged by labor or otherwise, and when so discharged, shall give certificate, which shall be received by the county treasurer in payment of such tax.

WILLIAM P. CUTLER,  
*Speaker of the House of Representatives.*  
 EDSON B. OLDS,  
*Speaker of the Senate.*

February 8, 1847.

---

AN ACT

To authorize the commissioners of Guernsey county to levy a sufficient tax for county purposes.

**SEC. 1.** *Be it enacted by the General Assembly of the State of Ohio,* That the county commissioners of Guernsey county are hereby authorized to levy a tax sufficient for county purposes, and no more, on all the taxable property of said county entered on the duplicate for taxation, any thing in the fifty-fifth section of the "act for levying taxes on all property in this state according to its true value," passed March second, one thousand eight hundred and forty-six, to the contrary notwithstanding.

WILLIAM P. CUTLER,  
*Speaker of the House of Representatives.*  
 EDSON B. OLDS,  
*Speaker of the Senate.*

February 8, 1847.

---

AN ACT

To authorize the Springfield and Urbana Turnpike Company to surrender to the trustees of the Springfield and Sandusky Free Turnpike Road Company all their powers and privileges.

**SEC. 1.** *Be it enacted by the General Assembly of the State of Ohio,* That the stockholders of the Springfield and Urbana Turnpike Road Company are hereby authorized to cede and surrender to the trustees of the Springfield and Sandusky road, all their rights, powers and privileges contained in the act passed January twenty-sixth, one thousand eight hundred and forty-four, to incorporate the Springfield and Urbana Turnpike Road Company.

**SEC. 2.** That the trustees of the Springfield and Sandusky road shall create so many shares of stock, of twenty dollars each share, as may be needful to take up the shares of stock now subscribed to the capital stock of the Springfield and Urbana Turnpike Road Company, but the shares so exchanged shall not exceed the sum of four thousand dollars.

SEC. 3. That the persons who became stockholders in the Springfield and Sandusky road may meet in Urbana on the first Monday in May next, and choose, by ballot or vote for each share, five trustees, who shall serve for one year, and until their successors be chosen and qualified; the subsequent annual elections shall be held on such days as the trustees may, from time to time, appoint; the trustees so chosen shall perform all the duties now conferred, by law, to the trustees of the Springfield and Sandusky road.

SEC. 4. The trustees shall have power to demand and collect the amount of all subscriptions made to the capital stock, or to said road, and to apply the same in constructing and repairing said road between Springfield and Urbana; and when the sum of four thousand dollars shall have been expended in grading and graveling said road, they shall be authorized to erect gates, and collect the rates of toll authorized in the above recited act; they shall be authorized to pay to the stockholders an annual dividend, in money or in stock, not exceeding six per centum per annum, and all the remaining tolls shall be applied to paying expenses, and to maintaining, improving and extending said road, until the same be finished to Bellefontaine, in Logan county.

SEC. 5. That the trustees of said road shall have power to agree with the directors of the Mad River, Urbana and Kenton Turnpike Company, and with the Mad River and Dayton Turnpike Company, for the making and maintaining such parts of the above road as may be used in common between them, and to make such apportionment of tolls as may be equitable: Provided, that no toll gate shall be erected or toll charged on said road between Urbana and Bellefontaine until the commissioners of Logan county shall, at some regular session of said commissioners, assent to the provisions of this act.

WILLIAM P. CUTLER,  
*Speaker of the House of Representatives.*  
EDSON B. OLDS,  
*Speaker of the Senate.*

February 8, 1847.

---

AN ACT

To authorize the Commissioners of Preble county to borrow money for certain purposes.

SEC. 1. *Be it enacted by the General Assembly of the State of Ohio,* That the commissioners of Preble county are hereby authorized and empowered to borrow, temporarily, upon the faith and credit of said county, any sum of money not exceeding two thousand dollars, at a rate of interest not exceeding six per centum per annum, which money, when so borrowed, shall be expended to pay the debts of said county, and in no other way.

WILLIAM P. CUTLER,  
*Speaker of the House of Representatives.*  
EDSON B. OLDS,  
*Speaker of the Senate.*

February 8, 1847.



## AN ACT

To divide the township of Steubenville, in Jefferson county, into two election districts.

SEC. 1. *Be it enacted by the General Assembly of the State of Ohio,* That the township of Steubenville, in the county of Jefferson, be and the same is hereby divided into two election districts, by a line commencing in the middle of Market street, at low water mark, on the Ohio river, and running thence, by the middle of Market street and the Steubenville, Cadiz and Cambridge turnpike road, to the west line of said township.

SEC. 2. That part of said township lying north of said line, shall be called and known as the First Election District of Steubenville Township, and that part lying south of said line shall be called and known as the Second Election District of Steubenville Township.

SEC. 3. The elections in the first district shall be held at the usual place of holding elections heretofore in said township, and in the second district, at such place as the judges of election in said district shall appoint, by public notice, posted up in five of the most public places in the district, at least twenty days before the day of election, until the township trustees shall provide a permanent place for holding the elections in said district, which they are hereby authorized to do; Provided, that the annual township election, anno domini one thousand eight hundred and forty-seven, shall be held at the usual place of holding elections in said township, as if this act had not passed.

SEC. 4. At the annual township election in anno domini one thousand eight hundred and forty-seven, and in each succeeding year, the qualified electors of the first election district shall elect one person as a judge of elections and one person as a clerk of elections, who, with the two youngest trustees and the clerk of the township, shall be the judges and clerks of elections in said district; and the qualified electors of the second election district shall elect two persons as judges of elections and two persons as clerks of elections, who, with the oldest trustee of the township, shall be the judges and clerks of elections in said district; said persons, so elected, to be qualified, in all respects, as trustees and clerks of townships are required by law to be qualified, to hold their offices for one year and until their successors are elected, and shall receive the same compensation which other judges and clerks of elections shall receive by law; all vacancies shall be filled as in other cases.

SEC. 5. The act entitled "an act to provide for registering the names of electors and to prevent frauds at elections," shall be carried into effect in said township, as is prescribed in said act, in the cases of townships divided into two or more election districts, before the passage of said act.

SEC. 6. All acts and parts of acts inconsistent with the provisions of this act, are hereby repealed, so far as they apply to said township.

SEC. 7. This act shall take effect and be in force from and after its passage.

WILLIAM P. CUTLER,  
*Speaker of the House of Representatives.*  
EDSON B. OLDS,  
*Speaker of the Senate.*

February 8, 1847.

## AN ACT

To legalize the proceedings of the commissioners appointed to lay out and establish a Free Turnpike Road from the south line of township five, range twelve, in Wood county, to McCutchensville, in Wyandott county, passed February 11, 1845.

SEC. 1. *Be it enacted by the General Assembly of the State of Ohio,* That the acts of the commissioners appointed to lay out and establish a free turnpike road from the south line of township five, range twelve, in Wood county, to McCutchensville, in Wyandott county, be and the same is hereby legalized and confirmed.

SEC. 2. This act to take effect from and after its passage.

WILLIAM P. CUTLER,

*Speaker of the House of Representatives.*

EDSON B. OLDS,

*Speaker of the Senate.*

February 8, 1847.

## AN ACT

Regulating Supervisors in certain portions of the counties of Highland, Warren, Brown, Clermont, Clinton and Fayette.

SEC. 1. *Be it enacted by the General Assembly of the State of Ohio,* That the supervisors of roads and highways in the counties of Highland, Warren, Brown, and Clermont, in whose road districts may be included any part of the Milford and Chillicothe Turnpike Road, and the Cincinnati, Montgomery, Hopkinsville, Rochester, and Clarksville Turnpike Road, not yet metaled, or covered with stone or gravel, shall be and are hereby required to work such parts of said road, within their respective districts, in the same manner as they now are required by law to work other state roads in their respective districts.

SEC. 2. That the supervisors of roads and highways in the counties of Clinton and Fayette, in whose road districts may be included any part of the Goshen, Wilmington, and Columbus Turnpike Road, not yet metaled, or covered with stone or gravel, shall be and are hereby required to work such parts of said road within their respective districts, in the same manner as they are now required by law to work other state roads in their respective road districts.

SEC. 3. That such supervisors shall, for neglect to comply with the provisions of this act, be subject to all the penalties to which supervisors of roads and highways are subject, under the general laws of this state.

SEC. 4. This act to take effect and be in force from and after its passage.

WILLIAM P. CUTLER,

*Speaker of the House of Representatives.*

EDSON B. OLDS,

*Speaker of the Senate.*

February 8, 1847.

## AN ACT

To authorize the sale of School Section Twenty-six, in township eight, range fifteen, in Meigs county, granted by Congress for the use of schools in the original surveyed township number eight, range sixteen, Gallia county.

SEC. 1. *Be it enacted by the General Assembly of the State of Ohio,* That school section twenty-six, in township eight, range fifteen, in Salem township, Meigs county, granted by congress for the use of schools in the original surveyed township eight, range sixteen, in Gallia county, or so much thereof as remains unsold, be and the same is hereby authorized to be sold: Provided, that no part thereof shall sell for less than the appraised value thereof; and such sale shall, in all respects, be governed by the provisions of an act entitled "an act to regulate the sale of ministerial and school lands, and the surrender of permanent leases thereto," passed February second, one thousand eight hundred and forty-three, and in accordance with the "act to fix the minimum price of the sale of school lands," passed March fourth, one thousand eight hundred and forty-five.

WILLIAM P. CUTLER,

*Speaker of the House of Representatives.*

EDSON B. OLDS,

*Speaker of the Senate.*

February 8, 1847.

## AN ACT

For the support and better regulation of Common Schools, in school district number one, in Ravenna.

SEC. 1. *Be it enacted by the General Assembly of the State of Ohio,* That all the territory included in lots numbers one, four, five, six, eleven, twelve, thirteen, fourteen, fifteen, sixteen, seventeen, eighteen, nineteen, twenty, twenty-one, twenty-two, forty-nine, sixty, sixty-one, sixty-two, sixty-three, sixty-four, sixty-five and sixty-six, in the south division of lots in the township of Ravenna, and county of Portage, be and the same is hereby constituted one school district, subject to the provisions of this act, to be called school district number one, in Ravenna.

SEC. 2. That the persons residing in said district, who are entitled by law to vote in district meetings therein, shall meet, on the second Tuesday in March, in the year one thousand eight hundred and forty-seven, at the usual place of holding township elections in said district, and organize by appointing a chairman and secretary, and proceed to elect six directors of the common schools for said district, two of whom shall serve one year, two for two years, and two for three years, the order of seniority to be determined by lot by such directors, after their election; and annually thereafter, on the second Tuesday in March, at the place above specified, there shall, in like manner, be two directors elected, who shall serve for three years, and until their successors are elected and qualified. All vacancies which may occur shall be filled by the auditor of said county.

SEC. 3. That said directors, within ten days after their first appointment, as aforesaid, shall meet, and organize by choosing from their number

a president, secretary, and treasurer: and such treasurer, before entering on the duties of his said office, shall give bond and security, to be approved by and deposited with the president chosen as aforesaid by the directors, conditioned for the faithful disbursement of all moneys that shall come into his hands as such treasurer, which bond shall be made payable to the state of Ohio; and when such bond shall be forfeited, it shall be the duty of such president to sue and collect the same, for the use of the common schools in said district. And the said directors, so organized and qualified, and their successors in office, shall be a body politic and corporate in law, by the name of the Board of Education of School District No. 1, in Ravenna; and as such, and by such name, shall be authorized to receive all moneys accruing to said district, or any part thereof, for the use and benefit of common schools in said district; and the said board shall be capable of contracting and being contracted with, suing and being sued, pleading and being impleaded, in any court of law or equity in this state; and shall also be capable of receiving any gift, grant, donation, or devise, made for the use of common schools in said district; and said board, by resolution, shall direct the payment of all moneys that shall come into the hands of said treasurer, and no moneys shall be paid out of the treasury, except in pursuance of such resolution, and on the written order of the president, countersigned by the secretary.

SEC. 4. That said board shall hold their meetings at such time and place as they may think proper; that any four of said board shall constitute a quorum; that special meetings may be called by the president or by two members of the board, on giving two days' notice of the time and place of holding such meeting: but at no special meeting, except all the directors be present, shall any resolution in relation to sites for school houses, or financial resolution, or order, be passed, unless two days' notice, as aforesaid, be given, and the subject or subjects to be acted upon be specified in the notice, and a quorum of at least four members be present.

SEC. 5. That said board of education shall have the entire management and control of all the common schools in said district, and of all the houses, lands and appurtenances, already provided and set apart for common school purposes, as well as those hereafter to be provided for the same purposes; and all moneys accruing to said district for school purposes, under any law of the state, shall be paid over to the treasurer of said board of education.

SEC. 6. It shall be the duty of said board of education to establish within said district three or more primary schools, to be located in different parts of said district, so as best to accommodate the inhabitants, in which the rudiments of an English education shall be taught. It shall be the further duty of said board to establish, in said district, a central, secondary, or middle school, where instruction shall be further given in the rudiments and fundamental branches of an English education, not taught in the primary school; and it shall be the further duty of said board to establish in said district a central high school, in which instruction shall be given in various branches usually taught in academies, subject to the limitation of the board of education. To each school in the system there shall be gratuitous admission for the children, wards and apprentices, of all the residents of said district, and of such other persons as may own property charged with a

school tax in said district, with the following restrictions, viz: No pupil shall be admitted to the secondary or middle school, who fails to sustain a thorough examination in the studies of the primary school; and no pupil shall be admitted to the high school, who fails to sustain a thorough examination in the studies of the middle school: and the teacher in either school shall have power, with the advice and direction of the board of education, to exclude for misconduct, in extreme cases, and to classify the pupils as the best good of the schools shall seem to require: Provided, however, that said board of education shall not make any rules which will exclude from said primary schools any scholar who, by the general laws of this state, would be entitled to admission into the common schools of said district; and said board shall not so appropriate school funds, which, by the provisions of this act, shall come under their control, as to reduce the amount applicable to the support of said primary schools below the sum to which, under the general laws of this state, the common schools within said district would be entitled.

SEC. 7. The said board of education shall have power to make and enforce all necessary rules and regulations for the government of teachers and pupils in said schools; to employ teachers, male and female, and pay them a suitable compensation; to purchase all necessary books and apparatus; to select sites for school houses, build, and superintend the building of the same, upon their own plan; and to pay for the lands, and houses, and furniture, as well as all other expenses of said school system, from the public moneys in the hands of the treasurer: and the remainder of all the expenses of said school system, after appropriating all the moneys coming to the hands of the treasurer under the general school laws of the state, or otherwise, shall be defrayed by tax on all the taxable property in said district; and the said board of education shall, annually, estimate the amount necessary to be raised by such tax, and transmit the same to the auditor of said county, who shall levy a tax for such amount of money on the taxable property in said district, and cause the same to be collected in the same manner [as] township taxes are by law collected; and the same shall be paid over to the treasurer of said district.

SEC. 8. All legal titles to lands and houses, and other property used for common school purposes in said district, shall vest in said board of education at the taking effect of this act: and all titles acquired thereafter, shall be in the name of said board; and said board shall have power to sell, lease, and convey, any and all the lands and tenements held under and by virtue of this act, and to purchase other lands and tenements, in more eligible positions.

SEC. 9. That said board of education shall, immediately after their appointment and organization, appoint three competent persons to serve as school examiners of said district, all of whom shall be citizens of said district: one to serve for one year, one for two years, and one for three years, as designated by said board of education, and till their successors are qualified annually thereafter. Said board, at their first regular meeting after the second Tuesday in March, shall appoint one school examiner, to serve for three years, and till his successor is qualified; and said board shall fill all vacancies that may occur. The examiners, or any two of them, shall examine such persons as may apply for that purpose, and if they find the

applicant qualified, they shall give him a certificate, naming the branches he is found qualified to teach; that they have carefully inquired into his character, and believe it to be moral and good, and that they believe him well qualified to govern and teach. They shall, also, in every case, where two of their number concur, have power to annul any certificate previously given, and the person holding the same shall be discharged from the public schools in said district. They shall also visit said schools at least as often as once in every quarter, observe the discipline, mode of instruction, progress of the scholars, and such other circumstances as they may deem of interest, and semi-annually they shall report their proceedings to the board of education, with such suggestions as they may think proper; and no teacher shall be employed to teach any of said schools, without a certificate from said examiners, as aforesaid.

SEC. 10. Annually, and at such other times as the board of education shall appoint, public examinations of all the scholars in said district shall be had, under the direction of the board of education and examiners.

SEC. 11. That so much of the general school law, and so much of any and all laws of this state, as may be inconsistent with this act or any of its provisions, is hereby repealed as to said district.

SEC. 12. The first election under authority of this act shall be held on the first Tuesday of April next; and it shall be the duty of the directors of school district number one, in said township, to give at least twenty days' notice of said election, by posting up written or printed notice, in at least three public places in said district. The board of directors, when organized, shall have authority to complete any business that may remain unfinished in the hands of the directors of said school district on the taking effect of this act; to collect all moneys which may be due to, and to pay any debts which may be owing by said district. All books or papers belonging to said district shall be delivered over to said board of directors. It shall be the duty of the secretary of said board to keep, in a book to be provided for that purpose, an accurate record of the proceedings of the board, which shall, at all reasonable times, be subject to the inspection of any taxpayer in said district.

SEC. 13. This act shall be in force from and after the first day of April next.

SEC. 14. Any future legislature may alter, annul, or repeal this act.

WILLIAM P. CUTLER,

*Speaker of the House of Representatives.*

EDSON B. OLDS,

*Speaker of the Senate.*

February 8, 1847.

---

#### AN ACT

To incorporate the Walnut Hills, Madison and Plainville Turnpike Road Company.

SEC. 1. *Be it enacted by the General Assembly of the State of Ohio,* That Benj. Stewart, J. C. Ward, John Jones, Ralph Reeder, S. C. Lindsey, David Michmore, D. R. Kemper, Jacob Patton, John H. Hilton, John

Myers, and their associates, be and they are hereby created a body corporate, under the name of the Walnut Hills, Madison and Plainville Turnpike Road Company, for the purpose of constructing a turnpike road from a suitable point on the turnpike road leading from Cincinnati to Montgomery, at or near the Walnut Hills, and running thence, (on or near the route of the county road leading from the Walnut Hills to Madison,) to the village of Madison; thence from Madison, by the most practicable route, until said road intersects the Cincinnati, Columbus and Wooster turnpike road, near the dwelling house and present residence of Eliphalet Ferris; which company shall have all the rights, privileges and powers, and be subject to all the restrictions, defined in the act to provide for the regulation of turnpike companies, passed January seventh, one thousand eight hundred and seventeen, and the several acts amendatory thereto, except in so far as the same may be modified or changed by the special provisions of this act.

SEC. 2. That the capital stock of said company may be thirty-five thousand dollars, divided into shares of twenty-five dollars each.

SEC. 3. The above named commissioners, or any three of them, shall meet in Madison, in the county of Hamilton, at such time as they shall think fit, and proceed to organize said company, and to take order for the opening of books for the subscription of stock, agreeably to the second section of the act to provide for the regulation of turnpike companies.

SEC. 4. That so soon as one hundred and fifty shares shall have been subscribed to the stock of said company, the above named commissioners shall call a meeting of the stockholders in the manner prescribed in the third section of the act for the regulation of turnpike companies, for the election of directors for the government of said company.

SEC. 5. That said company be and they are hereby authorized to demand and receive from persons traveling said road, the following tolls for every five miles travel on said road, and in the same proportion for a less distance:

For every four wheeled carriage, drawn by two horses, or other animals, ten cents; for every animal in addition, two cents;

For every sled or sleigh, drawn by two horses, or other animals, five cents; and for every horse or other animal in addition, two cents;

For every horse and rider, three cents;

For every horse, mule or ass, six months old or upwards, led or driven, two cents;

For every head of neat cattle, six months old, or upwards, one half cent;

For every head of sheep or hogs, one fourth of a cent;

For every four wheeled pleasure carriage, drawn by two horses, fifteen cents; for each horse in addition, three cents;

For every two wheeled pleasure conveyance, drawn by one horse, five cents;

For every four wheeled pleasure carriage, drawn by one horse, seven cents;

For every cart, drawn by [one] horse, or two oxen, five cents; for each horse or ox in addition, two cents;

For every wagon or other vehicle, used for the transportation of produce, or other articles drawn by one horse, five cents.

SEC. 6. That whenever three continuous miles of said road is completed according to the provisions of the said act to provide for the regulation of turnpike companies, the aforesaid company may erect a gate, and receive tolls from persons traveling said road, at the above specified rates; provided that such persons shall be exempt from paying tolls, as are exempted in the eleventh section of the before recited act, for the regulation of turnpike companies, saving only, persons carrying the United States mail, which last mentioned persons shall not pass free, as in said act provided.

SEC. 7. That if the said company shall locate any part, or the whole of the turnpike road authorized to be located and constructed by this act, upon any McAdamized or other county or state road, or upon any bridge or culvert upon which the county commissioners of Hamilton county have expended any portion of the road or bridge tax collected and expended in said county, or any other moneys from the treasury of said county, then, and in that case, the said company shall, before using such road, bridge or culvert, or any part thereof, or appropriating it to the purposes of this act, enter into fair and equitable arrangements with the county commissioners of said county, which the said commissioners are hereby authorized to enter into in the manner and mode which to them may seem best for the interests of said county, for the purpose of indemnifying the said county for the present full and fair value for the road, bridges or culverts before referred to.

SEC. 8. That the said company hereby incorporated, and the Cincinnati, Columbus and Wooster turnpike company, are hereby authorized and empowered to make any contract with each other, in relation to the collection of tolls at any gate, or upon any other subject pertaining to the business of said company, that their respective boards of directors may deem to be to the mutual interest of said companies; and it shall be lawful for the directors of said Cincinnati, Columbus and Wooster turnpike company, to subscribe for such amount of the stock of the said Walnut Hills, Madison and Plainville turnpike road company, as they shall deem proper.

SEC. 9. That the said company, and the corporators thereof, shall be subject to the provisions of all acts now in force, or which may hereinafter be enacted, for the purpose of regulating this or other turnpike companies generally, in this state.

SEC. 10. That if said company shall not organize and commence said road by the first day of June, one thousand eight hundred and forty-eight, and complete five miles of said road within three years from the first day of April, one thousand eight hundred and forty seven, then this act shall be considered null and void.

SEC. 11. That the said company, or the corporators thereof, shall not contract debts at any time, to a greater amount than their means actually on hand, together with their means which may be reasonably expected to accrue within one year thereafter.

SEC. 12. That should the commissioners of Hamilton county at any time, before or after the corporators herein named shall have commenced or completed said turnpike road, be of the opinion that it would conduce



to the public interest so far as the travel of said road is concerned, to make said road a free road, it shall be lawful for the commissioners of said Hamilton [county] to notify the directors of the said Walnut Hills, Madison and Plainville turnpike company, that it is the intention of said county commissioners to take possession of said road for the purpose aforesaid; and the said county commissioners and directors of said turnpike company shall mutually select three freeholders of this State, men entirely and absolutely disinterested in all matters pertaining to said road, and it shall be the duty of said appraisers, so selected, to proceed, after an actual view of said road, and make a report of their proceedings to the said parties.

SEC. 13. That so soon as the said commissioners shall pay to said directors the full amount of the value of said road, as assessed by said appraisers, said turnpike road company shall surrender their said road to the county commissioners aforesaid; and said road shall forever after be a free road to all intents and purposes, and no tolls shall be collected on said road.

WILLIAM P. CUTLER,  
*Speaker of the House of Representatives.*  
EDSON B. OLDS,  
*Speaker of the Senate.*

February 8, 1847.

#### AN ACT

To amend an act entitled "an act to incorporate the Milford and Chillicothe Turnpike Road Company," passed February 11, 1832, and also to amend the act incorporating the Bellpre and Cincinnati Railroad Company.

SEC. 1. *Be it enacted by the General Assembly of the State of Ohio,* That the president and directors of the Milford and Chillicothe Turnpike Road Company may, if they deem that the public interest and the interests of the company will be subserved thereby, have the power and they are hereby authorized to cover such parts of said road as have been graded but are not yet metaled, with charcoal of such depth and width as will make a permanent and substantial road, such as is needed for public use.

SEC. 2. That when said parts, or any of them, are so covered with charcoal, said directors shall have the same power to erect gates, and charge and collect toll on such parts of said road as if the same had been covered with stone or gravel.

SEC. 3. That said directors may take, from any individual, work and labor on said road, instead of money, as subscription of stock, and shall issue to them certificates accordingly.

SEC. 4. This act to take effect and be in force from and after its passage.

SEC. 5. That the capital stock of the Bellpre and Cincinnati Railroad Company shall be three millions of dollars, and the act incorporating said company shall not become null or void for failure to commence or complete

any part of said road: Provided, ten miles thereof shall be completed within ten years from this time, any thing in said act to the contrary notwithstanding.

WILLIAM P. CUTLER,  
*Speaker of the House of Representatives.*  
 EDSON B. OLDS,  
*Speaker of the Senate.*

February 8, 1847.

#### AN ACT

In relation to juries in Hamilton county.

SEC. 1. *Be it enacted by the General Assembly of the State of Ohio,* That five hundred judicious persons having the qualifications of electors, shall be annually selected in the county of Hamilton, in accordance with the provisions of the act entitled "an act relating to juries," passed February ninth, one thousand eight hundred and thirty-one, to serve as grand and petit jurors for the ensuing year, of which number sixty-five shall be selected and designated as grand jurors.

SEC. 2. The township trustees shall cause their clerk to keep a list of the persons by them selected to serve as jurors for each year, and file the same in his office, and the ward trustees shall cause similar lists to be kept, and deposited in the office of the city clerk of the city of Cincinnati; and no person shall be selected by said township or ward trustees to serve as a juror for two successive years.

SEC. 3. The clerk of the court of common pleas shall, within twenty days after receiving the returns from the township and ward trustees of the names of the jurors so selected, in the presence of the clerk of the superior court of Cincinnati, whom he shall notify to attend at his office for that purpose, draw from the box in which the whole number of names returned as petit jurors are deposited, the names of one hundred and sixty-five persons, to serve as jurors in the superior court of Cincinnati, and the same shall be, by the clerk of said superior court, deposited in a box, to be drawn as hereinafter provided.

SEC. 4. The clerks of the court of common pleas, and of the superior court of Cincinnati shall, respectively, at least twenty days before the commencement of any term of their said courts, draw from the names so selected and deposited as petit jurors, in the presence of the sheriff, twenty-four ballots on which such names are written, of whom the twelve first drawn shall be summoned as jurors to serve for the first two weeks of the term for which they are drawn, and the remaining twelve shall be summoned as jurors to serve for the term of two weeks next after the expiration of the term of service of the said jury first drawn; and if any term of either of said courts shall be fixed for, or will extend through a longer period than four weeks, the clerk thereof shall, in like manner, at least twenty days before the term of service of said jurors will commence, draw

the number of twelve names for each two weeks of said term in which a jury will be required beyond the period of four weeks, as aforesaid; and the persons whose names are so drawn shall be summoned, in like manner as in other cases, to serve as jurors during the respective periods of two weeks allotted to them by the order of drawing.

SEC. 5. The names of persons so selected as grand jurors shall be, by the clerk of the court of common pleas, placed in a box, separate from those returned as petit jurors, and from these the grand jurors shall be drawn by the said clerk, at least twenty days before the commencement of any criminal term of said court, and summoned as provided in the act relating to juries, hereinbefore referred to; and the petit jury for the supreme court shall be, by said clerk, drawn from the box containing the names of petit jurors, and certified to the clerk of said supreme court, as in said act provided.

SEC. 6. No person so selected and returned by the township or ward trustees, and no person called as a talesman, shall be required to serve as a juror more than two weeks in any one year.

SEC. 7. Either party to any suit or prosecution, civil or criminal, in either the court of common pleas of Hamilton county, or the superior court of Cincinnati, shall have the right to challenge any person who may be summoned or called as a juror in such case or prosecution, and to assign for cause, that the juror so challenged has acted in the capacity of a juror, in either of said courts, within one year next preceding the term of two weeks for which the jury on which he is so summoned or called was summoned to act as such, and upon proof from the record, or the examination of the juror so challenged, upon oath or affirmation, it be made to appear to the satisfaction of the court, that the juror has so served, he shall be set aside as upon challenge for cause, and his vacancy filled as in other cases.

SEC. 8. If the clerk of either of said courts, in drawing any pannel of jurors, shall draw from the box the name of any person who is known to said clerk, or to the sheriff, to have died, or removed from the county of Hamilton since his election, the ballot shall be considered a blank, and another shall be drawn in its stead, and the clerk of each of said courts shall keep a list of the names so set aside by them, respectively, and when, in either of said courts, the number so set aside shall amount to ten, the vacancy so made in the original number shall be supplied in the following manner: the clerk and sheriff shall each select ten names, other than those upon the original return, no two of whom shall be residents of the same ward or township, and deposit the same, written upon slips of paper of equal size, in a box, and the said clerk and sheriff shall draw therefrom one name alternately, until the number of ten be drawn, and the ten names so drawn shall be deposited in the box containing the original ballots.

SEC. 9. The clerk of the court of common pleas, upon receiving the annual return of names selected as petit jurors, shall, before depositing them in the box kept for that purpose, take from it the ballots remaining from the selections of the preceding year, if any such there be, of which he shall keep a list, and the same shall be set aside, and not again returned to the box: Provided, that in filling vacancies, as hereinbefore provided, the sheriff and clerk shall, as far as practicable, make their selections from the list aforesaid.

SEC. 10. This act shall be in force from and after the first day of March, one thousand eight hundred and forty-seven; and the township and ward trustees shall, on the first Monday of March, one thousand eight hundred and forty-seven, in conformity with its provisions, select and furnish to the clerk of the court of common pleas the proportion of their respective townships and wards of two hundred and fifty names of persons, other than those selected in October, one thousand eight hundred and forty-six, to serve as jurors in connection with those heretofore selected for the remainder of the year; and it shall be the duty of the sheriff, at least ten days prior to said first Monday in March, one thousand eight hundred and forty-seven, to make such apportionment and notify the clerk of each township, and at least one of the trustees in each ward in the city of Cincinnati thereof.

SEC. 11. That all acts and parts of acts inconsistent with the provisions of this act as to jurors in said county of Hamilton, be and the same are hereby repealed.

WILLIAM P. CUTLER,  
*Speaker of the House of Representatives.*  
EDSON B. OLDS,  
*Speaker of the Senate.*

February 8, 1847.

---

#### AN ACT

To amend an act entitled "An act to incorporate the Holy Congregation of the Children of Israel," passed January 8, 1830.

SEC. 1. *Be it enacted by the General Assembly of the State of Ohio,* That Joseph Jonas, Isaac Lyons, Hyman Moses, Isaac Wolf, Mosely Ezekiel, Montz E. Mochring, Elias Mayer, Philip Hiedlebach, Jacob Seasongood, Louis Abraham, Abraham Harris, Daniel Ulman, Wolf Fechtheimer, Adam Weiler, Philip Mann, Phineas Moses and Bernard Spatz, and all other Israelites residing, whether temporarily or permanently, in the city of Cincinnati, who may apply and be accepted into this society, and their successors, are hereby constituted a body corporate and politic, under the name and style of "Kal a Kodesh Beneh Israel," (Holy Congregation of Children of Israel,) according to the form and mode of worship of the Polish and German Jews in Cincinnati, and under this title and denomination, shall enjoy the right of perpetual succession, and shall be capable, in law, of owning, purchasing, receiving, accepting and holding, possessing and enjoying, for themselves and their successors, all immovables and effects whatsoever, not exceeding fifty thousand dollars, by means of any act, contract, deed, purchase or transaction whatever; to receive all donations, or cessions, whether inter-vivos or mortis-causa; to accept or reject any legacy or succession; to sue or be sued, summon or be summoned, plead or be impleaded, answer or be answered unto in all suits and actions, and to enact and put in execution any bylaws, resolutions and regulations for the better government of said society, and not contrary to the laws of this

state or of the United States, and may have and use a common seal, and the same to break, alter or renew at pleasure.

SEC. 2. The said congregation shall be represented by one parnas, (president,) two gabohim, (vice presidents,) treasurer, secretary and twelve trustees, who shall together form a board to be styled the Board of Trustees of Kal a Kodesh Beneh Israel, who shall continue in office until their successors are chosen; and no one shall be elected or appointed to either of the five offices first mentioned who shall not have attained the age of twenty-five years, and be a permanent resident of the city of Cincinnati.

SEC. 3. That elections for the above mentioned officers shall take place every year, on any day of September previous to the eighth, and that all votes shall be given by ballot, at a general meeting called for that purpose, by a written or printed notice, or by advertisement in one or more newspapers in said city of Cincinnati, at least three days prior to the date of such election.

SEC. 4. That in case an election shall not take place on the day or time specified for that purpose, said corporation shall not be deemed dissolved on that account, and any three members of the said congregation may call a meeting for said election.

SEC. 5. That the funds of said congregation shall not be employed in banking, but shall be especially and exclusively appropriated and employed in erecting or repairing temples, synagogues, or for purchasing and enlarging grounds for the same; in erecting or repairing the walls, fences and buildings of the burial ground, or for purchasing or enlarging ground for the same; in relieving the unfortunate; in salaries to the pastor, reader, teacher and shochat, (butcher;) in establishing schools for the education of Israelites, and, also, for all necessary books, furniture and accommodations calculated for the worship of said congregation.

SEC. 6. That all elections, by ballot or otherwise, shall be counted by a majority of the members present in session, and in case of their being equally divided, the presiding officer shall give the casting vote: Provided, that any future legislature may alter, amend or repeal this act.

WILLIAM P. CUTLER,

*Speaker of the House of Representatives.*

EDSON B. OLDS,

*Speaker of the Senate.*

February 8, 1847.

#### AN ACT

To prevent Intemperance in Medina, Huron and Erie counties.

SEC. 1. *Be it enacted by the General Assembly of the State of Ohio,* That it shall hereafter be lawful, at the annual township elections, for the election of officers in each and every township in the county of Medina, for the elector to write or print on his ticket, the word "License," or the words "No license;" and it shall be the duty of the clerk of said election, after the close of the polls, to count the number of votes for or against a

license, and forthwith certify and forward the same to the clerk of the court of common pleas; and it shall be the duty of the court of common pleas, when a majority of the votes, cast in any township in said county, are in favor of a license, to grant a license to such applicants, residing in such township, as shall comply with the provisions of the act pointing out the mode of granting license and regulating taverns, passed March third, one thousand eight hundred and thirty-one, which license, so granted, shall continue for one year and no longer; and it shall not be lawful for the court, in said county, to grant a license to any person to keep a tavern to retail ardent spirits in any township in said county, unless a majority of the votes cast at the annual spring election in said township shall be in favor of license.

SEC. 2. That when a majority of the legal voters of any township shall vote "No license," there shall be no intoxicating liquor sold, given away or otherwise disposed of, except at such places as the trustees of said township may designate at the annual spring election in said township; but it shall not be lawful to sell, give away or otherwise dispose of intoxicating liquors at such places as may be designated by the trustees, for other than mechanical, sacramental or medicinal purposes.

SEC. 3. That if any person or persons, within any township in said county in which there shall have been a majority of the legal votes against license to sell intoxicating liquors, as aforesaid, shall, barter, sell or otherwise dispose of any vinous, spirituous or intoxicating liquors, except as aforesaid, every such person shall forfeit and pay, for every such offence, a sum not less than five nor more than fifty dollars, to be recovered by an action of debt before any justice of the peace within said county, and in default thereof, shall be committed to the jail of said county until the fine is paid.

SEC. 4. That all prosecutions under the provisions of this act, shall be commenced within sixty days after the offence is committed, and all fines accruing from such prosecutions shall be collected in the name of the state of Ohio, as in other cases of a breach of the peace, and after the costs of prosecution are paid, the balance shall be paid into the township treasury, for the use of common schools in such township wherein the offence was committed; and if any officer fail to pay over such fine, by him collected, within twenty days after he shall have collected it, agreeably to the provisions of this act, such officer shall, for any such neglect, forfeit and pay into the township treasury double the amount of any fine or fines by him collected, to be recovered by an action of debt before any court having competent jurisdiction in said county, at the suit of the township treasurer in the township where the offence or offences were committed.

SEC. 5. This act shall extend and is hereby extended to the counties of Haron and Erie.

SEC. 6. That all laws, or parts thereof, as are inconsistent with the provisions of this act, are hereby repealed, so far as they apply to said counties.

WILLIAM P. CUTLER,

*Speaker of the House of Representatives.*

EDSON B. OLDS,

*Speaker of the Senate.*

February 8, 1847.

## AN ACT

Authorizing the Commissioners of Cuyahoga county, in their discretion, to erect a new township in said county.

SEC. 1. *Be it enacted by the General Assembly of the State of Ohio,* That the commissioners of Cuyahoga county are hereby authorized, in their discretion, to lay off and establish, under the limitations and restrictions in other respects of the laws now in force, a new township, having less contents than twenty-two square miles, to be taken from the townships of Cleveland, Newburgh, Euclid and Warrensville, in said county of Cuyahoga; Provided that, by the erection of such township, the contents of either of said townships of Euclid, Newburgh and Warrensville, shall not be reduced below the amount now required by law; And provided, also, that so much of the present township of Cleveland as lies west of the east line of the ten acre lots, so called, and the continuation thereof to the south line of said township of Cleveland, shall not be included in said new township.

WILLIAM P. CUTLER,  
*Speaker of the House of Representatives.*

EDSON B. OLDS,  
*Speaker of the Senate.*

February 8, 1847.

## AN ACT

To lay out and establish Liberty Township and Miltonville Free Turnpike Road.

SEC. 1. *Be it enacted by the General Assembly of the State of Ohio,* That Schuyler N. Beach and John W. Woodburg, of the county of Wood, be and they are hereby appointed commissioners to lay out and establish a free turnpike road, commencing at the north east corner of section sixteen, in Liberty township, Wood county, and run thence north to the Maumee river, at or near Miltonville.

SEC. 2. That said commissioners, and their successors, be a body corporate by the name and style of the Liberty Township and Miltonville Free Turnpike Road, and shall be governed in all their proceedings by the provisions of the act to provide for laying out and establishing free turnpike roads, passed March twelfth, one thousand eight hundred and forty-five, and the acts amendatory thereto, except so far as the same may be changed or modified by this act.

SEC. 3. That the county commissioners be and they are hereby required, annually, at their session in each year, to levy a tax of ten mills on the dollar of the valuation on all the taxable real estate within one mile on each side of said road, and a tax of five mills on the dollar of the valuation on all the taxable real estate within one mile on each side of said road, and a tax of five mills on the dollar upon all the taxable real estate embraced within the second tier of sections on the west side of said road, until the expenses of the construction of said road shall be paid for; the aforesaid taxes, however, are not to be imposed on any of

the lands north of township six, range ten, east, except upon the south half of section thirty-four, and the south east quarter of section thirty three, in township one, in the twelve mile reservation; and the levy to be made on said south east quarter of section thirty-three, and the said south half of section thirty-four, shall not exceed five mills on the dollar of the valuation; the said taxes shall be assessed upon the grand duplicate and collected as other taxes for state and county purposes.

SEC. 4. That the aforesaid commissioners, and their successors in office, are hereby authorized to locate and construct said road in a substantial and durable manner; and for all labor performed or materials furnished in the construction and repair of said road, said commissioners are hereby authorized and required to give to the contractor and laborers on said road a certificate of such amount as may be due them for work done or materials furnished, directed to the county auditor, who is required to issue orders on the county treasurer for the amount due the holders of said certificates, payable out of the funds arising from the proceeds of the aforesaid taxes; said orders shall draw interest from their date, at the rate of six per cent. per annum.

SEC. 5. That after the auditor and treasurer shall have made their annual settlement, the county auditor shall declare a dividend to be paid on said orders out of said fund, in proportion to the amount of orders issued and outstanding, which amount shall be paid by the treasurer on the presentation of said orders. This act to take effect from and after its passage.

WILLIAM P. CUTLER,

*Speaker of the House of Representatives.*

EDSON B. OLDS,

*Speaker of the Senate.*

February 8, 1847.

---

#### AN ACT

To authorize the commissioners of Paulding county to levy a certain tax for county purposes.

SEC. 1. *Be it enacted by the General Assembly of the State of Ohio,* That the county commissioners of Paulding county are hereby authorized to levy, for county purposes, annually, a tax on all the taxable property of said county, entered on the duplicate for taxation, of not exceeding eight mills on the dollar; any thing in the fifty-fifth section of the act "for levying taxes on all property in this state according to its true value," passed March second, one thousand eight hundred and forty-six, to the contrary notwithstanding.

WILLIAM P. CUTLER,

*Speaker of the House of Representatives.*

EDSON B. OLDS,

*Speaker of the Senate.*

February 8, 1847.



## AN ACT

To amend the charter of the city of Cleveland.

SEC. 1. *Be it enacted by the General Assembly of the State of Ohio,* That the city council of the city of Cleveland, shall, annually, between the first day of April and the first day of June, determine the amount of taxes necessary to be levied for the general expenses of said city: Provided, that the tax so to be determined shall not exceed two mills on the dollar valuation on the taxable property in said city, entered on the duplicate of the county auditor in each year.

SEC. 2. That said city council shall, also, annually, between the times aforesaid, determine the amount of tax necessary to be levied for the support and maintenance of common schools in said city: Provided, that the tax so determined shall not exceed four-fifths of a mill on the dollar valuation on the taxable property aforesaid.

SEC. 3. That said city council may, if deemed expedient, between the times aforesaid, levy an additional tax annually, not exceeding three-fourths of a mill on the dollar valuation aforesaid, for the payment of the debts already contracted by said city, which shall be appropriated exclusively for the purposes for which it was raised.

SEC. 4. That the said city council are hereby authorized, in addition to the taxes above provided for, annually, between the times aforesaid, to levy any such discriminating tax as may be deemed necessary, either for the purpose of grading or otherwise improving any street or alley which is now, or which may hereafter be laid out and established in said city, or for the purpose of paying the damages which may be sustained by any one by reason of the establishment of such street or alley; which levy for the purposes in this section mentioned, shall be governed by the provisions of the ninth section of the act passed March, one thousand eight hundred and thirty-six, entitled "An act to incorporate the city of Cleveland," except where it is herein otherwise provided: Provided, that the lands and tenements embraced in any such discriminating assessment, shall be listed in the same manner, and by the same description as said lands and tenements are, or shall be described on the duplicate list for taxation of the county of Cuyahoga.

SEC. 5. That said city council are hereby authorized, in their discretion, between the first day of April and the first day of June next, or between the same times in any succeeding year, to make out a list of any discriminating assessments which had been made by said city authorities previous to the passage of the act entitled "An act to amend an act entitled an act to incorporate the city of Cleveland," passed March the twentieth, one thousand eight hundred and forty-one, and which assessments remain unpaid, and to determine whether the whole, or what portion of such assessments shall be collected during the succeeding year; which list, together with the portion of the respective assessments which said council shall order as aforesaid to be collected during the succeeding year, and a list of all other discriminating assessments made under the provisions of the fourth section of this act, together with the description of the lands and tenements on which such assessments are made, and the amount of all other taxes levied and determined in pursuance of this act, shall be certified

by the mayor of said city, or president of the city council, to the auditor of Cuyahoga county, on or before the first Monday of June, annually, and shall in all respects be collected and paid over in the manner pointed out in the act entitled "An act to amend an act entitled an act to incorporate the city of Cleveland," passed March the twentieth, one thousand eight hundred and forty-one.

SEC. 6. That the supervisor of streets of said city shall hereafter receive in lieu of any salary for his services as such supervisor, such portion of all the poll taxes collected in said city during the year such supervisor may be in said office, as said council may determine.

SEC. 7. That hereafter the marshal of said city and his deputies shall be appointed by said city council, and shall be removable at the pleasure of said council in the same manner that the supervisor of said street [streets] of said city may now by law be appointed and removed.

SEC. 8. That hereafter the aldermen to be elected by the qualified voters of said city shall be elected for the term of three years; Provided, that the aldermen who shall be elected at the next annual election in said city, in pursuance of this act, shall determine by lot at the first meeting of the council after the election last aforesaid, which of their number shall serve for the term of one year, which for the term of two years, and which for the term of three years, which terms respectively shall be construed to be the terms for which they were elected.

SEC. 9. That all acts or parts of acts which conflict with, or are inconsistent with the provisions of this act, are hereby repealed.

WILLIAM P. CUTLER,

*Speaker of the House of Representatives.*

EDSON B. OLDS,

*Speaker of the Senate*

February 8, 1847.

#### AN ACT

To authorize the construction of a toll bridge over the Little Miami, at or near Symmestown, in Hamilton county.

SEC. 1. *Be it enacted by the General Assembly of the State of Ohio,* That John F. Johnston, William Johnston, Samuel Paxton, Jacob W. Agger, William Cregor, sen., John P. Emery, James B. Harmars, John Boyer, and Joseph S. Branch, of the county of Clermont, and John W. Weller, Hamilton Mahon, William H. Constable, William Goldtrap, Robert Bodkin, Joseph Sears, and Jacob Vorhes, of the county of Hamilton, and their associates, be and they are hereby created a body corporate and politic by the name and style of the Symmestown Bridge Company, and by this corporate name to have perpetual succession for twenty years, from the time said bridge is finished; and are capable, by that name, of contracting and being contracted with, of suing and being sued at law or equity, with full power to acquire and hold, or dispose of and convey, such property, real, personal, and mixed, necessary for the purposes of this act, and to use a corporate seal, and to alter it at pleasure.

**SEC. 2.** They shall have power to make and enforce bylaws, such as are necessary for the management of the business of said corporation, and the government of all its affairs; provided, said bylaws shall be consistent with the constitution and laws of the United States and this state.

**SEC. 3.** The capital stock of said company shall not exceed ten thousand dollars, to be divided in shares of five dollars each, and be considered as personal property, transferable on the books of said company, in such manner as their bylaws shall direct; and in meetings of the stockholders, each share shall be entitled to one vote, and the stockholders may vote in person, or by proxy, in writing appointed; and said company may, once in each year, elect a board of directors, one of whom shall be president; and each director shall be a stockholder, when elected, and shall cease to be a director when he ceases to be a stockholder.

**SEC. 4.** Said company may, and they are hereby authorized to erect a bridge, of substantial materials, of a proper width, and to admit teams, wagons, coaches, and stages, freely, and to be constructed with stone abutments and piers, all to be strong and safe, across the Little Miami river, at the above place; they shall have power to appropriate private property, such as is necessary for the construction of said bridge; and should any complaint arise, or claim be set up on account of such use of private property, and if the parties cannot agree on the value thereof, or the damages claimed by any complainant, then said damages shall be valued by three respectable disinterested freeholders of the neighborhood or counties, one chosen by said company, and one by said complainants, which two shall choose a third, who shall view the premises, and, on oath or affirmation, assess the damages which shall, if any, be paid by said company, with reasonable costs; but if no damages are allowed, then said applicants shall pay the cost; and their award shall be final.

**SEC. 5.** That when said bridge is constructed so as to be used by the public with safety, then they may erect a gate thereon, and demand and collect any sum not exceeding the following rates of toll:

For every four wheeled wagon or cart drawn by two horses, oxen, or mules, five cents; for every animal in addition, two cents;

For every two or four wheeled pleasure carriage, drawn by one horse, five cents; for every horse in addition, two cents;

For every horse and rider, three cents;

For every horse, mule, or ass, led or driven, one cent;

For every cow, ox or steer, six months old, one half cent;

For every one hundred head of hogs or sheep, twenty-five cents; for a greater or less number, in proportion;

For every stage coach drawn by two horses, five cents; for every horse in addition, two cents;

Provided, said company shall not collect a greater amount of tolls than will be necessary to keep said bridge in repair, and pay a reasonable compensation for collecting the same, and the legal rate of interest for the amount invested, to the stockholders; provided, also, that no tolls shall be demanded for foot passengers.

**SEC. 6.** That all persons, bodies, or corporations, subscribing to the capital stock of said company, refusing or neglecting to pay their subscription, or installments thereon, at such time and place as shall be appointed

by the directors of said company, or their authorized agent, the same may be collected by suit in any court of competent jurisdiction, proper notice having been first given.

SEC. 7. Any five or more of the persons named in the first section of this act, or any other who shall subscribe to the stock and organize under and comply with all the provisions of this act, shall be endowed with all the powers, rights, privileges, and protection contained in or conferred by the provisions of the same.

SEC. 8. This act shall be in force from and after the passage thereof.

WILLIAM P. CUTLER,

*Speaker of the House of Representatives.*

EDSON B. OLDS,

*Speaker of the Senate.*

February 8, 1847.

#### AN ACT

To amend "An act to incorporate the town of Newark, in the county of Licking," and the several acts amendatory thereto.

SEC. 1. *Be it enacted by the General Assembly of the State of Ohio,* That it shall be the duty of the marshal of said town of Newark, on or before the tenth day of March next, and annually thereafter, on or before the twentieth day of February, to return to the recorder of said town the duplicate of taxes, with the word "Default" written opposite to any and every tract of land, lot or other real estate within the corporate limits of said town, upon which any tax assessed by the town council and charged therein is not paid up to that date, at the end of which said duplicate the said marshal [shall] certify, under his hand, that the taxes therein marked "Default" are not paid, and are still due and owing.

SEC. 2. That it shall be the duty of the said recorder of said town, in case said taxes are not paid into the treasury of said corporation on or before the first day of May, annually, and the receipt of the said treasurer filed with him, to make out a correct list of all said taxes which may remain unpaid up to that time, to which he shall add fifteen per cent. to the tax charged to each tract of land, lot or other real estate, which he shall certify under the seal of said corporation, and deliver to the auditor of the county of Licking on or before the first day of June, annually.

SEC. 3. In making up the grand duplicate for state and county purposes, the auditor of said county shall set down, in a separate column, the said taxes due to the said town of Newark, which shall be collected by the treasurer of said county, in the same manner as the other taxes charged on said duplicate; and in case they are defaulted, the same penalties and interest shall be charged, and the same proceedings be had as if said taxes were due to the state or county.

SEC. 4. After collecting said taxes, the treasurer of said county shall, on or before the first day of February, annually, pay over the same, de-

duoting ten per cent. thereof, to the treasurer of said corporation of the town of Newark, and take duplicate receipts therefor, one of which he shall file with the recorder of said town, and the other he shall retain as his voucher. The said treasurer shall retain five per cent. on the amount of such taxes so collected for said corporation, and shall pay to said auditor five per cent. for their compensation for the services required by this act.

SEC. 5. It is the true intent and meaning of this act, that all arrears of taxes now due and owing said corporation of Newark, charged upon any real estate therein, shall be returned by the recorder to the said auditor on or before the first day of June next, to be proceeded with under the provisions of this act.

SEC. 6. That, in the absence or disability of the mayor of said town, the recorder thereof is hereby empowered and authorized to perform all the judicial functions in any and all cases of violations of any bylaw or ordinance of said corporation, and may impose the same fines and penalties, and enforce the same, as it is lawful for the mayor thereof to impose.

SEC. 7. All laws inconsistent with the provisions of this act, be and the same are hereby repealed.

WILLIAM P. CUTLER,  
*Speaker of the House of Representatives.*  
EDSON B. OLDS,  
*Speaker of the Senate.*

February 8, 1947.

#### AN ACT

For the relief of school district number two, in German township, Harrison county, and school district number ten, in Washington township, in Clermont county.

WHEREAS, the district clerk of school district number two, in German township, Harrison county, returned, for the year eighteen hundred and forty-five, to the township clerk of said township, the enumeration of the youth in said district entitled to the privileges of common schools therein, amounting to the number of one hundred and twenty-four, and the said township clerk, by mistake, in making his returns to the auditor of said county, returned for said district only thirty-two such youth; and whereas, the district clerk of district number ten, in Washington township, in Clermont county, returned, according to law, a like enumeration of such youth in his district for the same year, to his township clerk, which, in fact, amounted to ninety-two, but, by mistake in footing, the township clerk returned to the auditor of said last mentioned county, only fifty-three; therefore,

SEC. 1. *Be it enacted by the General Assembly of the State of Ohio,* That the auditors of Jefferson and Harrison counties be and they are hereby authorized and required to apportion to school district number two, in German township, Harrison county, out of the school fund arising from the sale of section sixteen or any other school funds subject to distribution in said counties, in addition to the sum such district may be entitled to at the

time of making the next regular distribution, such sum of money as said district has received less than it would have been entitled to for the year one thousand eight hundred and forty-five, the same as if a return of the number of youth in said district, for said year, had been properly made; and, in making the apportionment hereby authorized, the auditors of said county shall take, as a basis of such apportionment, the number of one hundred and twenty-four youth as the correct return made by such district.

SEC. 2. The auditor of Clermont county is hereby authorized, in like manner, to apportion to said school district number ten, in Washington township, from the school funds of his county, in addition to the sum said district may be entitled to at the time of making the next distribution, such sum of money as said district has received less than it would have been entitled to if the returns of the number of youth in said district, for the year eighteen hundred and forty-five, had been correct.

WILLIAM P. CUTLER,  
*Speaker of the House of Representatives.*

EDSON B. OLDS,  
*Speaker of the Senate.*

February 8, 1847.

#### AN ACT

To incorporate the Marietta Female College.

SEC. 1. *Be it enacted by the General Assembly of the State of Ohio,* That, for the purpose of establishing and maintaining in the town of Marietta, in the county of Washington, an institution for the instruction of females in all the necessary, useful, and ornamental branches of a thorough and liberal education, David C. Skinner, William Holden, John O. Cram, Thomas W. Ewart, Wyllys Hall, and their associates and successors, be and hereby are constituted a body politic and corporate by the name and style of "the Marietta Female College," and by that name shall have perpetual succession and power to receive all donations and bequests, and apply the same for the purpose aforesaid, in conformity to the conditions or designs of the donor; to contract and be contracted with, sue and be sued in all courts of competent jurisdiction; to acquire, hold, and convey property, real and personal, to use a common seal; and shall have all the powers and privileges usually incident to similar corporations.

SEC. 2. That the corporate concerns of said institution shall be managed by a board of trustees, consisting of not less than three, nor more than fifteen members; and the persons named in the first section of this act, together with such others, not exceeding five in number, as they may choose to appoint, shall constitute said board of trustees until the first annual meeting of the stockholders, as hereinafter provided for, and until others are elected in their places.

SEC. 3. That all questions before the board of trustees shall be decided by a majority of the number present; and three-fifths of the number of trustees shall constitute a quorum for the transaction of business.

SEC. 4. That the board of trustees shall have power to appoint a president, secretary, and such other officers and agents as they may deem necessary, and to make such by-laws, rules, and regulations for conducting the affairs of said corporation as they may deem proper: Provided, that the same be not inconsistent with the laws of the United States or of this state.

SEC. 5. That the capital stock of said corporation shall consist of shares of twenty-five dollars each, to be subscribed in the manner the trustees shall prescribe, and to be paid in such installments and at such times as they may direct; and if stockholders shall fail to pay installments as provided aforesaid, the trustees shall have power either to institute suits to recover such installments, or to sell such shares as shall be delinquent to the highest and best bidder, after giving ten days' notice thereof in some newspaper published and in general circulation in said Washington county; and such stockholder shall be liable for the residue, if any, due upon such shares, after deducting the proceeds of such sale.

SEC. 6. That the capital stock of said corporation shall not exceed twenty thousand dollars; shall be deemed personal property, and, in cases not prohibited by the bylaws, shall be transferable on the books of the company.

SEC. 7. That annual meetings of the stockholders of said association, for the election of trustees, and the transaction of business, shall be held at Marietta, on the first day of January, excepting that when said day happens on Sunday, the meeting shall be held on the day following; and at all meetings of the stockholders each share of stock shall entitle the owner thereof, in person, or by proxy, duly authorized in writing, to one vote; but no stock shall be voted upon which is delinquent in the payment of any installment which has been duly called for; and a majority of the stock entitled to vote shall be represented, in order to constitute a quorum for the transaction of business, and a majority of the votes present shall determine all questions submitted to the stockholders.

SEC. 8. That the trustees of said association, except as provided in the second section of this act, shall be elected by the stockholders at their annual meetings; and each trustee shall hold office for the period of three years from such date as shall be designated at the time of his election, and until his successor shall be elected and qualified.

SEC. 9. That the board of trustees shall have power to determine what purchases, contracts and sales shall be made, and all deeds, leases and contracts in writing may be signed on the behalf of said corporation, by the presiding officer of the board of trustees, or such agent as said board may appoint.

SEC. 10. The board of trustees shall have power to appoint such officers, professors, and teachers as may be necessary for the good government of the institution, and the instruction of the pupils therein; to establish courses of study, and, by such agency as they may direct, to confer on those whom they may deem worthy such literary honors and degrees as are usually conferred in similar institutions.

WILLIAM P. CUTLER,  
*Speaker of the House of Representatives.*  
EDSON B. OLDS,  
*Speaker of the Senate.*

February 8, 1847.

## AN ACT

To authorize the Board of Public Works to abate a nuisance in the city of Dayton.

SEC. 1. *Be it enacted by the General Assembly of the State of Ohio,* That the board of public works and the attorney general shall, together, immediately after the rising of the present general assembly, meet at the city of Dayton, in Montgomery county, at which meeting all the members of said board shall attend, and proceed to examine work (commonly called Morris Seely Canal) now complained of as a public nuisance; and in their investigation they shall direct their inquiries to the following particulars: First: whether the state of Ohio is legally or equitably bound to abate the nuisance, if the same be a nuisance. Second: what title the state has to said work, and the land upon which it is made. Third: whether the so-called nuisance can be sufficiently abated without filling up the canal. Fourth: whether there be any contracts with Ebenezer Thresher, or the Cooper estate, relative to the water power, or growing out of the rent of water power, or of the lands, for the use of such power. Fifth: what would be the cost of filling up said canal. Sixth: if filled up, what would be the value of the lands made by thus filling the canal. Seventh: if the nuisance can be abated by shutting out the water, what then would be the value of the land, without filling up, to sell. Eighth: whether, if the state shut the water out of said work, there is any contract violated, by which the state may be equitably liable to damages. Ninth: any and all other matters of fact or law which may, in any manner, have a bearing on this subject.

SEC. 2. That if, upon such investigation, said board and attorney general shall decide that the state is equitably bound to abate the (so-called) nuisance, they shall proceed to abate the same in such manner as they shall decide the same can best be done to promote and secure the interests of the state.

SEC. 3. If said board shall deem it best, they are hereby authorized to sell any and all right and interest which the state may have in or to the said work, and the land on which the same is made, or any land appertaining thereto, to the city of Dayton, or to individuals, in such manner and at such prices as they shall deem proper, taking such security (if they shall deem the same necessary) as will save the state harmless from any incidental damages.

SEC. 4. If the board shall decide to sell or transfer [the] right and interest of the state to said work and land, or any part thereof, the governor is hereby authorized, upon payment being made, to quit claim, by deed duly executed to the purchaser or purchasers, all the right and interest of the state.

SEC. 5. If said board, after having made the full investigation, shall be satisfied that the interest of the state will be best promoted by surrendering the whole work to the city of Dayton, according to their proposition, then they are hereby authorized to transfer the same to said city, in such manner as will save the state harmless from any damages or costs in future.

WILLIAM P. CUTLER,

*Speaker of the House of Representatives.*

EDSON B. OLDS,

*Speaker of the Senate.*

February 8, 1847.



## AN ACT

To incorporate the Castalia Manufacturing Company.

SEC. 1. *Be it enacted by the General Assembly of the State of Ohio,* That Marshall Benton, Robert Whitney, Edward M. Morgan, Samuel Waggoner, and William W. Witherall, and their associates and successors, be and they are hereby constituted a body politic and corporate, in perpetual succession for the term of fifty years, by the name and style of the Castalia Manufacturing Company; and by that name shall be capable of suing and being sued, pleading and being impleaded, defending and being defended, in all courts and places, and in all manner of actions, causes and complaints whatsoever; may have a common seal, which they may use and alter at their pleasure; and by their corporate name may purchase, hold, use, and convey property, real and personal; may take and receive such property in the payment of debts previously created, and sell and dispose of the same, and of their manufactured articles; may make all necessary or proper contracts for carrying on the operations of said company, and may make, execute and deliver, securities or mortgages on their property, to secure the payment of debts contracted by the company, and may receive similar securities for the payment of debts due to the company, in all respects as fully as may be done by natural persons; and may ordain, and from time to time establish, such bylaws, for the management of said corporation, as they may deem expedient and requisite to promote the objects of the said company, not inconsistent with the constitution and laws of the United States and of this state.

SEC. 2. The capital stock of said company shall be two hundred thousand dollars, the stock to be divided into shares of one hundred dollars each, and transferable, on the books of the company, in such manner as the bylaws shall ordain; but no transfer shall be valid, until it shall have been registered in the book or books of the company, kept for that purpose.

SEC. 3. At all meetings of the stockholders, each share of stock shall be entitled to one vote, either in person or by proxy in writing; and a majority of votes present, shall determine all questions submitted by the stockholders.

SEC. 4. The annual meetings of the stockholders shall be held on the first Monday in June, at which meeting the directors of the company shall be elected, and such other lawful business done, as the stockholders shall deem necessary and proper; and should they fail of electing directors at their annual meeting, they may hold a special meeting, at some subsequent time, for the purpose, by giving thirty days' notice thereof, in some newspaper of general circulation in said Erie county. The directors shall hold their offices until their successors are chosen and qualified; but no person shall be a director after ceasing to be a stockholder. Immediately after their election, the directors shall elect one of their number president of the corporation, and may appoint such other officers and agents as they may deem proper to transact their business, and prescribe the amount of compensation to be allowed to them for their services; and such officers, when required by the bylaws, shall give bond, to the satisfaction of the directors, for the faithful discharge of the trusts committed to them. The directors may make their own bylaws for the government of their board, but subject

to the approval of the stockholders. All questions in the board of directors shall be decided by a majority of the directors present, and a majority of the directors shall constitute a quorum for the transaction of business. Vacancies in their board may be filled by the remaining directors. The directors shall have the general management of the affairs of the company; and may dispose of the residue of the capital stock at any time remaining unsubscribed, in such manner as the stockholders for the time being may prescribe; and may employ the capital and means of the company in such manufactures as they shall deem best for the company, and for the erection and maintenance of such machinery, dams, buildings, races, watercourses, &c., subject always to the control of the stockholders, as may be necessary in the business of manufacturing, but for no other purposes than those connected with and pertaining to said business. They shall cause a record to be kept of all stock subscribed and transferred, and of all business transactions; and their books and records shall, at all reasonable times, be open to the inspection of any and every stockholder. They shall also, when required, present to the stockholders reports, in writing, of the situation and amount of business of the company, and declare and make such dividends of the profits from the business of the company, (not reducing the capital stock while they have outstanding liabilities,) as they shall deem expedient.

Sec. 5. The persons named in the first section of this act, or a majority of them, shall be commissioners to open books, for the subscription to the capital stock of said company, at such times and places as they may deem proper; and the said company are authorized to commence operations, upon the subscription of ten thousand dollars of said stock.

Sec. 6. The president and directors of said company shall have power, at any of their meetings, to require the payment of the capital stock of said company to such persons, and at such times, as they may deem proper, upon giving thirty days' notice of the amount of such installments as may be required, and of the time when the same shall be paid, in some newspaper published in said Erie county; and if any stockholder or stockholders shall fail to pay up such installment or installments as shall be required by the president and directors aforesaid, the directors shall have power either to institute suits against such stockholder or stockholders, in any court having jurisdiction, to recover such installment or installments, and shall have execution therefor, or to sell such share or shares as shall be delinquent, at public auction, to the highest and best bidder, after giving thirty days' notice, in some newspaper published and in general circulation in said Erie county; and such stockholder or stockholders shall be liable for the residue, if any, due upon such share or shares after deducting the proceeds of such sale.

Sec. 7. The object of said corporation is declared to be the manufacture of flour, of cotton and woollen goods, and yarns, of iron, in its various forms, and such other articles and machinery, connected therewith, as they may deem most conducive to the interests of the company, on the waters of Cold creek, in said Erie county.

Sec. 8. That, for every debt due by said company to laborers employed by them in carrying on the manufacturing operations of said company, each and every stockholder shall be liable, or may pay the same without such suit, and upon payment thereof by one or more of said stockholders,

he or they paying the same may recover the amount thus paid by judgment against said company, or may have contributions for the amount thus paid by suit or otherwise.

SEC. 9. The corporation established by this act shall not at any time be engaged in banking business, or suffered to deal in bills of exchange, except when the same are given or received in the transaction of business connected with the objects of their creation.

WILLIAM P. CUTLER,  
*Speaker of the House of Representatives.*  
EDSON B. OLDS,  
*Speaker of the Senate.*

February 8, 1847.

#### AN ACT

To appoint commissioners to establish section lines, corners and quarter posts in the townships of St. Joseph, Centre and Pulaski, in the county of Williams.

SEC. 1. *Be it enacted by the General Assembly of the State of Ohio,* That Miller Arrowsmith and Calvin L. Noble, of the county of Defiance, and Francis M. Case, of the county of Williams, be and they are hereby appointed commissioners to resurvey and permanently fix and establish such section lines, section corners and quarter posts, in the townships of St. Joseph, Centre and Pulaski, in the county of Williams, as were not surveyed and established by the United States' surveyors in the original surveys; and in all cases where section lines were run, and no section corners or quarter posts established thereon, the corners and quarter posts established by said commissioners shall be upon the original lines, and all lines run by said commissioners shall be run with the same variations of the compass as was the original lines in the surveyed posts of said townships; and the said section lines, corners and quarter posts shall be so established as to leave in each section the same quantities of land, as near as may be, as is stated to be contained therein by the original plats and field notes of such townships.

SEC. 2. That the commissioners aforesaid shall make out, and swear to the truth and correctness thereof, plats and field notes of such parts of each of said townships surveyed by them, and return one plat and the field notes to the auditor of the county of Williams, and another to the secretary of state, and the lines, corners and quarter posts so established, and the plats and field notes so made and returned, shall be the same kind of evidence and have the same force and effect as the surveys and field notes made in pursuance of the laws of the United States.

SEC. 3. That said commissioners shall receive two dollars a day, each, for the time they may be actually employed in making such surveys, plats and field notes, and seventy-five cents per day shall be allowed to a marker; provided that Miller Arrowsmith, one of said commissioners, shall act as surveyor, and the other commissioners as chainmen; and such commis-

sioners shall make out an accurate account of all time employed, verified by their oaths; which account shall be audited by the auditor, and paid at the state treasury, out of any fund not otherwise appropriated: Provided, the whole expense of making such surveys shall not exceed one hundred and twenty-five dollars.

SEC. 4. In case either of said commissioners shall neglect or refuse to serve, the vacancy shall be filled by the commissioners of the county of Williams.

WILLIAM P. CUTLER,  
*Speaker of the House of Representatives.*  
EDSON B. OLDS,  
*Speaker of the Senate.*

February 8, 1847.

#### AN ACT

To incorporate the Wayne Township Savings Institute, at Bloomfield, Jefferson county.

SEC. 1. *Be it enacted by the General Assembly of the State of Ohio,* That D. H. Ralston, John Duiboës, James Blackburn, Alexander Bines, Joseph A. Smith, Thomas Hammond, William M. Blackburn, William A. Day, and G. W. Ralston, and their associates and successors, be and they are hereby constituted a body corporate and politic by the style of the Wayne Township Savings Institute, for the purpose of receiving money on deposit, and loaning the same on interest for the benefit of the said corporation; shall be capable, in law, of suing and being sued, of defending and being defended, and of answering and being answered in any court of law or equity in the state.

SEC. 2. That said corporators or a majority of them, after ten days' notice thereof being previously given, shall meet at some suitable place in said town of Bloomfield, and may then and there create a capital stock of any sum not exceeding one thousand dollars, to be divided into shares of two dollars, and may open books for the subscription of said stock, which may be loaned on interest in the same manner as moneys deposited, and the principal shall remain as a perpetual fund for the security of such persons as may make deposits in said corporation; and that after one hundred dollars of said stock has been subscribed, the stockholders may proceed to the election of a president, five trustees, and a treasurer, who shall form a board of directors, and who shall hold their offices for the space of one year, and, in case of vacancy, shall have power to fill the same from among the stockholders aforesaid: Provided, that no person shall be allowed to take more than ten shares of said stock, unless the whole amount of stock created as above mentioned, be not taken within one year from the time of opening said books; and every stockholders shall be entitled to one vote for each share of stock he may own, not exceeding ten shares, and one vote for every five shares he may own in addition, but no person shall be entitled, in any case, to more than fifteen votes in said corporation.

SEC. 3. The treasurer shall, within five days after his election, give bond, with good and sufficient security to the approval of the president

and directors, in any sum not less than three times the amount of the stock created, as aforesaid, conditioned that he will faithfully account for and pay over all moneys paid into or deposited with him, as such treasurer, and that he will faithfully discharge all the duties imposed upon him by the bylaws and constitution of said corporation; and said treasurer may be allowed any sum, not exceeding two per cent., as a compensation of his services.

SEC. 4. That said bond of the treasurer shall be made payable to the Savings Institute, and shall be filed in the office of the president of said Wayne Township Institute, for the benefit of all persons interested.

SEC. 5. That the treasurer shall keep a true and fair record of the business of said institution, and shall settle with the said president and directors as often, at least, as once a year, and shall pay over, to all persons making deposits with him, the amount of his or their principal deposited, according to the terms of the deposit, together with interest as has actually been received therefor, deducting not more than two and a half per cent. from interest, for contingent expenses and compensation of said treasurer.

SEC. 6. The said stockholders, or a majority of them, shall have power to form a constitution and code of bylaws for the government and regulation of said institute; they may adopt a common seal which they may alter at pleasure, and regulate the times of holding their elections and other meetings, and make such rules and regulations respecting deposits and loans as they may think necessary and proper, not inconsistent with the provisions of this act: Provided, that said president and directors may, if they think necessary for the safety of the moneys of the corporation, require of the said treasurer other and further security, and in case he fails to comply within three days from the time of such request, they may declare his office vacant, and proceed to the appointment of a new treasurer, who shall hold his office until his successor is duly elected and qualified.

SEC. 7. The corporators of said institute or its officers shall, in no case, loan money at a rate of interest exceeding six per cent., or purchase paper at a discount, or issue any promissory note or bill of exchange, or any other evidence of debt, except such receipts for money deposited under the provisions of this act by individuals, as may be necessary to the proper and legitimate business of the institution.

WILLIAM P. CUTLER,  
*Speaker of the House of Representatives.*  
EDSON B. OLDS,  
*Speaker of the Senate.*

February 8, 1847.

#### AN ACT

To incorporate the Sydney and Wapakonnetta Turnpike Road Company.

SEC. 1. *Be it enacted by the General Assembly of the State of Ohio,* That Conrad Schimmel, Robert J. Skinner, Jeremiah Ayers, and George W. Holbrook, of the county of Allen, and Richard Botkin, James A. Wells, James McCullough, Jacob S. Conklin, and Benjamin W. Carey of

the county of Shelby, their associates and successors, be and they are hereby created a body corporate and politic in law, by the name of the Sydney and Wapaukonnetta Turnpike Road Company, for the purpose of constructing a turnpike road, commencing at Sydney, in the said county of Shelby, and thence on the best route, all things being considered, to the town of Wapaukonnetta, in the said county of Allen; and for that purpose shall be capable of taking and holding capital stock to any amount which may be necessary to construct and keep in repair said turnpike road, and shall have all the rights, privileges and powers, and be subject to all the restrictions defined in the "act to provide for the regulation of turnpike companies," passed the seventh of January, one thousand eight hundred and seventeen, and the several acts amendatory thereto now in force, except in so far as the same may be modified or changed by the provisions of this act.

SEC. 2. The capital stock of said company shall be divided into shares of twenty-five dollars each, and the above named commissioners, or a majority of them, shall meet at such time and place as they may appoint, after the passage of this act, and proceed to organize the said company and to make the necessary arrangements for the opening of books for the subscription of stock to said company.

SEC. 3. So soon as one hundred shares shall have been subscribed to the stock of said company, the said commissioners, or a majority of them, shall call a meeting of the stockholders, at such place on the proposed route of said turnpike as they may deem most expedient, by giving twenty days' public notice for the election of five directors to manage the affairs of said company.

SEC. 4. The said turnpike company shall have the right to lay out said turnpike road over any part of the state road leading from Sydney to Wapaukonnetta, and appropriate the same to their own use, and from the time that such turnpike road shall be completed on any part of said state road, so much of said state road shall be deemed vacated: Provided, that whenever such company shall take possession of, or appropriate any state road lying in the county of Allen to the use of such company, it shall pay to the commissioners of said county the appraised value of the work done upon such road, to be determined by three disinterested freeholders of said county, appointed by the commissioners; and the amount so received by said county commissioners shall be appropriated in constructing and repairing roads in said county.

SEC. 5. At least sixteen feet of the width of said turnpike road shall be cleared of all obstructions, so as to present a firm even surface, and, in such places as the same may be necessary to secure a good road, shall be thrown up in the middle with a gradual arch, and shall be constructed of stone, gravel, or other convenient materials, well compacted together, and the whole shall be so graded that in no case shall the ascent be greater than five degrees.

SEC. 6. Whenever five continuous miles of said road shall be completed according to the provisions of this act, said company may erect a gate or gates thereon, and receive toll according to the provisions of the general law on that subject, passed the twenty-fifth of February, one thousand eight hundred and forty-five.

SEC. 7. Unless said road shall be commenced in three years, and at least five miles completed in five years from the passage of this act, the charter shall be considered forfeited for nonuser.

WILLIAM P. CUTLER,  
*Speaker of the House of Representatives.*  
 EDSON B. OLDS,  
*Speaker of the Senate.*

February 8, 1847.

#### AN ACT

To quiet the title of the northeast quarter of section twenty-five, in township three, north, of range three, east, in the county of Paulding.

WHEREAS, on the fifth day of October A. D. one thousand eight hundred and forty-one, Letters Patent were issued by the President of the United States (in conformity to an act of Congress) to the trustees of Oxford township, in the county of Butler, and State of Ohio, for the north half of section twenty-three, in township six, south of range four, east, the northeast quarter of section twenty-five, in township three, north, of range three, east, and the division of the south half of section nineteen, lying west of the river, in township three, north, of range four, east, selected as school lands in lieu of section sixteen, to be subject to the same uses, under the same management and liable to the same disposition in all respects as section sixteen, in said township of Oxford, granted for the use of schools, would by law have been; and whereas, the said northeast-quarter of section twenty-five was on the twenty-first day June, in the year one thousand eight hundred and forty-two sold by the State of Ohio to Shirly and Mason, who have laid out and established a town by the name of "Junction" on said northeast quarter of section twenty-five, in the county of Paulding, and State of Ohio, and have sold a number of lots in said town of Junction, to several persons who have made improvements thereon, therefore,

SEC. 1. *Be it enacted by the General Assembly of the State of Ohio,* That Alfred Luce, Samuel R. Mollyneaux and William H. Smith, trustees of said school lands or their successors in office, are hereby authorized and empowered to settle with Shirly and Mason, or their assigns, and the preference in settlement shall be given to said Shirly and Mason upon such terms as may be agreed upon between them or their assigns, and as are not inconsistent with the provisions of this act.

SEC. 2. That there shall be appointed by the court of common pleas, in and for the county of Paulding aforesaid, on application being made for that purpose by the trustees aforesaid, three disinterested freeholders of that county, to appraise the value of said lands without regard to the improvements thereon made by the said Shirly and Mason or their assigns; and said appraisers shall take an oath faithfully and impartially to perform the duties of their appointment, and the value of said lands so fixed shall be paid by said

Shirly and Mason or their assigns, to said trustees, one twelfth thereof in money at the time of making such settlement, and the balance in eleven equal annual installments with interest on the same, to be paid annually, to be secured by mortgage on the premises or otherwise to the satisfaction of said trustees. Should said Shirly and Mason or their assigns prefer making a greater payment down, or paying any of such installments within the time specified in this act, it shall be the duty of the trustees to receive such payments or to make such other arrangements, mutually satisfactory, for the payment of the appraised value of such property as they may deem equitable and just: Provided, that no less sum is paid down and no further time given for the payment of the whole sum than named in this act.

SEC. 3. Should said Shirly and Mason, or their assigns, refuse to make settlement with said trustees, in the manner pointed out in this act, the said trustees are hereby authorized and empowered to obtain possession of said land in the manner pointed out by law, and to sell and dispose of said land or lots in the manner directed in the fourth and fifth sections of this act.

SEC. 4. That the lots in the said town of Junction be sold as the same have been laid out and established by the said Shirly and Mason, and the said trustees are hereby authorized and empowered to lay out additional lots, with streets and alleys, on said northeast quarter of section twenty-five, and on the division of the south half of section nineteen, west of the river, and the same shall be appraised and sold according to the provisions of the act entitled "an act to regulate the sale of ministerial and school lands, and the surrender of permanent leases thereto," passed February 2, 1843: Provided, that said trustees shall have the power of limiting the number of lots to be sold at any one sale, nor shall any thing in this act be so construed as to make the State of Ohio in any manner liable to said Shirly and Mason, or their assigns, or to any person holding under them, for more than the purchase money received by the State, for said quarter section, with interest thereon.

SEC. 5. That said trustees may lease, for any term not exceeding ten years, any of said lots that may remain unsold, by complying with the provisions of the general law of this State upon that subject, so far as the same are not inconsistent with the provisions of this act; and the trustees of the said township of Oxford shall pay out of any moneys belonging to said township, all reasonable costs and expenses incurred in carrying into effect this act, where the same is not provided for by the several acts and laws above referred to.

SEC. 6. This act shall not be construed to effect, in any manner whatever, the titles of the respective claimants to all or any part of the said northeast quarter of section twenty-five.

SEC. 7. All moneys received by said trustees shall be paid into the State treasury, for the use of Oxford township, as other moneys received for section sixteen.

WILLIAM P. CUTLER,  
*Speaker of the House of Representatives.*  
EDSON B. OLDS,  
*Speaker of the Senate.*

February 8, 1847.



## AN ACT

To amend the act entitled "An act to incorporate the town of Perrysburg, in the county of Wood," and the several acts amendatory thereto.

SEC. 1. *Be it enacted by the General Assembly of the State of Ohio,* That the power granted to said town council to levy a tax within said town, upon all real estate therein, by the ninth section of the original charter of said town, be and the same is hereby extended so as to embrace all the taxable property within said limits, as contained upon the grand list for state and county purposes.

SEC. 2. That said town council shall have power to require the owner or owners of all lots in said town, to grade and pave the sidewalks and streets in the manner pointed out in the act to amend the act entitled "an act to incorporate the town of Perrysburg, in Wood county," to which this is an amendment; and in case said owner or owners neglect or refuse to grade or pave the streets or walks aforesaid, and the same shall be done by the said town council, as provided in said act, the expense of the same shall be placed upon the duplicate and collected in the same manner and under the same regulations as the other taxes of said town are now by law collected.

SEC. 3. That said town council shall have power to subscribe to the capital stock of the Perrysburg Canal and Hydraulic Company the sum of four thousand dollars, in addition to the sum authorized by the act entitled "an act to authorize the town council of the town of Perrysburg to subscribe to the capital stock of the Perrysburg Canal and Hydraulic Company, and to levy a tax to pay the annual interest and for the final redemption of the bonds so issued," passed February twenty-six, one thousand eight hundred and forty-five, and to issue bonds, raise tax for the payment of the interest and principal, in the same manner as is provided in the act to which this is an amendment.

SEC. 4. That on such day as shall be agreed upon by the mayor and town council of said town of Perrysburg, of which time twenty days' previous notice shall be given by the mayor of said town, by advertisement in the newspapers published in said town, the qualified electors residing within the corporate limits of said town shall ballot for or against the acceptance of this act, by indorsing on their ballots either "Accept" or "Not accept," which said balloting shall, in all respects, proceed according to and be governed by the laws in force regulating elections held within said corporation; and if more than one-third of the ballots deposited, in accordance with the foregoing provisions, are indorsed "Not accept," then this act shall be void and of no effect.

WILLIAM P. CUTLER,  
*Speaker of the House of Representatives.*  
EDSON B. OLDS,  
*Speaker of the Senate.*

February 8, 1847.

## AN ACT

To incorporate the Ridge Union Meeting-House of Clinton and Pleasant townships, in Seneca county, Ohio.

**WHEREAS**, The members of the Presbyterian, Methodist, Protestant, and German Reformed churches, residents of Clinton and Pleasant townships, in Seneca county, Ohio, have associated themselves together for the purpose of erecting a meeting house, for their joint occupancy, as such churches as aforesaid, and for other purposes pertaining to said churches; Therefore,

**SEC. 1.** *Be it enacted by the General Assembly of the State of Ohio*, That William S. McMeens, William Holtz and Molehi Bernard, their associates and successors, members of the said several churches named in the above preamble, to wit: the Presbyterian, Methodist, Protestant, and German Reformed churches, and residents of said Clinton and Pleasant townships, in Seneca county, be and they are hereby created a body politic and corporate by the name and style of the "Ridge Union Meeting-House of Clinton and Pleasant townships, in Seneca county," and shall by that name have all the rights, privileges and immunities granted by, and shall be subject to all the restrictions of an act entitled "An act in relation to incorporated religious societies," passed March fifth, one thousand eight hundred and thirty-six; and of an act entitled "An act securing to religious societies a perpetuity of title to lands and tenements conveyed in trust for meeting houses, burying grounds, or residences for preachers," passed January third, one thousand eight hundred and twenty-five, and with full power and authority to sell and convey any real estate, goods and chattels now belonging to said association of such religious societies.

**SEC. 2.** The said association shall have the right and power of electing annually, three trustees, one to be elected by each of the religious societies above named, who shall be empowered to transact and conduct all the business of such religious association, under such bylaws, rules and regulations as may from time to time be adopted by said trustees: Provided, that such bylaws, rules and regulations be not contrary to the constitution and laws of this state or of the United States.

**SEC. 3.** That said corporators shall give ten days' notice of the time and place of their first meeting under this act, by advertisement in three public places in the townships aforesaid, when and where the trustees aforesaid shall be elected as aforesaid.

WILLIAM P. CUTLER,  
*Speaker of the House of Representatives.*  
EDSON B. OLDS,  
*Speaker of the Senate.*

February 8, 1847.

## AN ACT

To incorporate the Geauga County Mutual Fire Insurance Company.

SEC. 1. *Be it enacted by the General Assembly of the State of Ohio,* That David D. Aiken, O. P. Newcomb, Alfred Phelps, A. G. Riddle, Leander J. Randall, Horace Merrill, and all other persons who may hereafter become members of said company, in the manner herein prescribed, be and hereby [are] incorporated and made a body politic by the name of the "Gauga County Mutual Fire Insurance Company," for the purpose of insuring their respective dwelling houses, stores, shops and other buildings, household furniture and merchandise, and goods and effects situate within the county of Gauga, against loss or damage by fire, whether the same shall happen by accident, lightning, or by any other means excepting that of design in the assured, or by the invasion of an enemy, or insurrection of the citizens of this or any of the United States, and by that name may sue and be sued, plead and be impleaded, appear, prosecute and defend, in any court of record, or other place whatever; may have and use a common seal; may purchase and hold such real and personal estate as may be necessary and advisable for the interests and objects of their association, and the same may sell and convey at pleasure; may make and put in execution such by-laws, ordinances and restrictions, not repugnant to the laws of this state, as may seem advisable and necessary; and do and execute all such acts and things as may be necessary or expedient to carry into full effect the purposes intended by this grant.

SEC. 2. That said corporation shall choose a board of directors, to consist of not more than nine nor less than five; said directors shall superintend the affairs and concerns of said corporation, and shall have the management of the funds and property thereof, and all things thereunto belonging not otherwise provided for; they shall have power from time to time to appoint a secretary, treasurer, and such other officers, agents and assistants as to them may seem necessary, and to prescribe their duties, fix their compensation, take such security from them as they may judge proper for the faithful performance of their respective duties, and remove them at pleasure; they shall determine the rates of assurance, and the sum to be assured on any building not exceeding three-fourths of its value; they shall order and direct the making and issuing of all policies of insurance, the providing of books, stationery and other things needful, for the office of said corporation, and for carrying on the affairs thereof, and may draw on the treasurer for the payment of all losses and expenses incurred in transacting the concerns of said corporation; they shall elect one of their own members to act as president, and may hold their meetings as often as necessary, and shall keep a record of their proceedings, and a majority of the whole number of directors chosen, shall constitute a quorum for the transaction of business.

SEC. 3. That every person who shall become a member of said corporation, by effecting insurance therein, shall, before he receives his policy, in addition to the premium, which shall in no case exceed eight per cent. on the amount insured, deposit his note without interest for such sum of money as shall be determined by the directors, which shall be payable in part or the whole, at any time when the directors shall deem the same requisite

for the payment of losses and expenses ; and at the expiration of the term of assurance, such note or premium, or such part of the same as shall remain unpaid, after deducting all losses and expenses accruing during said term, shall be relinquished and given up to the assured.

SEC. 4. That the funds of the corporation shall be invested in stocks, or loaned on such security as the directors may order, and the funds shall be appropriated first to pay the expenses of the corporation, next the losses or damages which any member may be entitled to receive on his policy. In case any member shall have a just claim against the company exceeding the then existing funds, the directors shall, without delay, assess such a sum as shall be necessary on the members, which assessment shall be in proportion to the amount of premium and deposit, but shall not in any case exceed one dollar on each hundred dollars insured.

SEC. 5. That all buildings insured by and with said corporation, together with the right, title and interest of the assured to the lands on which they stand, shall be pledged to said corporation, and said corporation shall, by virtue of the policy, have a lien thereon until all legal assessments and taxes are paid ; and every member shall be and hereby is bound to pay his portion of all losses and expenses happening or accruing in or to said company during the continuance of his, her, or their policies.

SEC. 6.. That in case of any loss or damage happening to any member upon property insured by said company, said member shall give notice thereof in writing within twenty days thereafter to the directors or secretary, or agent, who shall immediately cause the case to be inquired into in such manner as the directors shall deem proper, and said directors shall determine the amount of loss or damage ; and if the sufferer is not satisfied with their determination, the question may be submitted to referees, or the suffering party may bring an action against said company for loss or damage at the next term of the court holden in the county of Geauga ; and if, upon trial of said action, no more shall be recovered than the amount aforesaid determined by the directors, he shall become nonsuited, and the said company shall recover their costs : Provided, however, that the judgment last mentioned shall in no wise affect the claim of said suffering party to the amount of loss or damage as determined by the directors aforesaid, and provided, also, that execution shall not issue on any judgment against said company until after the expiration of three months from the rendition thereof.

SEC. 7. That if the directors shall, after the expiration of the aforesaid term of three months, neglect to satisfy said judgment, then the execution issuing on said judgment may be levied on the private property of the directors, or any one of them, to the amount of the excess of the funds of the corporation ; and any director who may have his property so taken, may sustain an action on the case to recover compensation therefor, of the corporation, or a proportional part thereof, and contribution therefor of the directors.

SEC. 8. That said company may make insurance for any term not exceeding ten years ; and any policy issued by said company, and signed by the president, and countersigned by the secretary, shall be valid and binding on said company in all cases where the assured has a title in fee simple, unincumbered, to the building or buildings insured, and to the land cov-

ered by them ; but if the assured have a less estate therein, or if the premises be incumbered, the policy shall be void, unless the true title of the assured, with the incumbrances, appear in the policy and application therefor ; and the directors of said company are authorized to cancel or suspend in whole or in part, any policy issued by this company whenever any member neglects or refuses to comply with the requisitions of said company.

SEC. 9. That when any building shall be alienated by sale or otherwise, the policy shall thereupon be surrendered to the directors to be canceled, and the assured, upon paying his proportion of losses and expenses up to the date of said surrender, shall be entitled to receive his note : Provided, however, that the grantee or alienee, having the policy assigned to them, may have the same confirmed to them upon application to the directors, and with their consent, within thirty days after such alienation, on giving such security as the directors require for the payment of such portion of the deposit note as remains unpaid ; and by such confirmation the assignee is entitled to all the rights and privileges, and subject to all the liabilities that the assignor possessed by virtue of said policy : Provided, also, that the directors shall have power to accept and cancel policies for other reasons and causes than those of alienation, when they shall deem it expedient or advisable for the interests of the company to do so.

SEC. 10. That if any alteration should be made in any building, or its use changed so as to increase the risk or hazard from fire, greater than it was at the time it was insured, in every such case the policy shall become void, unless notice thereof be immediately given to the directors, and their terms for its removal complied with ; but no alteration, or change of use, or repairs not increasing such risk or hazard, shall in any wise affect insurance previously made thereon.

SEC. 11. That the directors shall settle and pay all losses within three months after notice given as aforesaid ; they shall have power to borrow money on the credit of the funds of said company to pay any actual loss of said company whenever they may deem it expedient.

SEC. 12. That there shall be a meeting of said company at Chardon, in the county of Geauga, on the third Thursday of October, annually, or on such other day as the said company may hereafter determine, notice of which may be given by the secretary, on his failure, by the president, and on his failure, by any one of the directors, stating the time and place, and design of said meeting, by publication three weeks successively in a newspaper printed within the county, or by handbills posted up in every town in the county ; at which meeting shall be chosen the aforesaid board of directors as mentioned in section second of this act, and said directors shall continue in office until others shall have been chosen and accepted the trust ; all vacancies happening in said board, may be filled by the remaining members until the next annual meeting ; and said directors shall be chosen by a major vote of all the members present, and before entering upon the duties of his office, each and every one of said directors shall give security in the penal sum of three thousand dollars to the treasurer of the county of Geauga, with good and sufficient surety or sureties, to the satisfaction of said treasurer, conditioned for the faithful performance and discharge of the duties of his office, and on his failure to faithfully perform the duties of his office, said treasurer shall forthwith commence a suit on

said bond against the director so offending, on the complaint of any member who has been injured by such offending director; and it shall be the duty of the treasurer to order the prosecutor to give security to the county for costs, and also said prosecutor shall indemnify the defendants for their costs, and should the said prosecutor fail on the trial of said question for damages or loss, then said company shall have judgment for their costs and damages.

SEC. 13. That the said David D. Aiken, O. P. Newcomb, Alfred Phelps, A. G. Riddle, L. J. Randall, Horace Merrill, or any two of them may call the first meeting of the members of said company, at any suitable time and place, in Chardon aforesaid, by giving at least ten days' notice in the newspaper printed in said town, for the purpose of choosing directors, establishing bylaws, and transacting such other business necessary to the carrying into full effect the intentions of this act.

WILLIAM P. CUTLER,  
*Speaker of the House of Representatives.*  
EDSON B. OLDS,  
*Speaker of the Senate.*

February 8, 1847.

---

#### AN ACT

To incorporate the New Baltimore and New Haven Turnpike and Bridge Company.

SEC. 1. *Be it enacted by the General Assembly of the State of Ohio,* That Latham S. Bartlett, Robert Blackburn, James Ratcliffe, Stephen Barnes, Jacob Whipple, Samuel D. Franklin and Joseph B. Smith, of Hamilton county, be and they are hereby created a body corporate, under the name of the New Baltimore and New Haven Turnpike Road and Bridge Company, for the purpose of constructing a turnpike road from or near T. T. Olmsted's tavern, on the Colerain turnpike, through New Baltimore; and thence westwardly, by New Haven, to the state line, running between those points, as said company may deem most practicable, and a bridge across the Great Miami, at New Baltimore; which company shall have all the rights, privileges and powers, and be subject to all the restrictions defined in the "act to provide for the regulation of turnpike companies," passed January seventh, one thousand eight hundred and seventeen, and the several acts amendatory thereto, except in so far as the same may be modified or changed by the provisions of this act.

SEC. 2. The capital stock of said company may be thirty-five thousand dollars, divided into shares of fifty dollars each.

SEC. 3. That the above named commissioners shall meet at the town of New Baltimore, at such time as they may deem proper, and proceed to organize said company, and to take order for opening books for the subscription of stock, agreeably to the second section of the said act to provide for the regulation of turnpike companies.

SEC. 4. That as soon as one hundred shares shall be subscribed, the above named commissioners shall call a meeting of the stockholders; in the manner prescribed in the third section of the act to provide for the regulation of turnpike companies, for the election of five or more directors for the government of said company.

SEC. 5. The said company be and they are hereby authorized to demand and receive, from persons traveling on said road, the following tolls for every ten miles' travel on said road, and in the same proportion for a less distance, viz: For every four-wheeled wagon, drawn by two horses or oxen, fifteen cents: for every horse or ox in addition, five cents; for every sled or sleigh, drawn by two horses or oxen, ten cents: and for every horse or ox in addition, five cents; for every horse and rider, five cents; for every horse, mule, or ass, six months old or upward, led or driven, three cents; for every head of neat cattle six months old or upwards, led or driven, one cent; for every head of sheep or hogs, one-half cent; for every four-wheeled pleasure carriage, drawn by two horses, twenty cents: for every horse in addition, five cents; for every two-wheeled pleasure carriage, drawn by one horse, six cents; for every four-wheeled pleasure carriage, drawn by one horse, fifteen cents; for every cart, drawn by one horse or two oxen, ten cents: for every horse or ox in addition, five cents.

SEC. 6. That whenever five continuous miles of said road is completed, according to the provisions of the said act for the regulation of turnpike companies, the aforesaid company may erect a gate, and collect tolls from persons traveling on said road, at the above specified rates: Provided, that such persons shall be exempt from paying tolls, as are exempted in the eleventh section of the aforesaid act for the regulation of turnpike companies, saving only persons carrying public mails of the United States, which said persons shall pay according to the provisions of the fifth section of this act.

SEC. 7. That said company, and the corporators thereof, shall be subject to all acts now in force for the regulation of turnpike companies, and also an act instituting proceedings against corporations not possessing banking powers and the visitatorial powers of courts, and to provide for the regulation of corporations generally, passed March seventh, one thousand eight hundred and forty-two.

SEC. 8. The said company shall have the right to charge and collect tolls on said bridge, equal to the tolls authorized to be charged for traveling five miles of said turnpike road, so soon as said bridge shall be so far finished as to permit of safe travel over said bridge; and it shall not be lawful at any time for said company to charge toll for crossing said bridge, except when it shall be in such condition as to afford a safe and convenient passage over the same.

SEC. 9. Any future legislature, after five years from the time said company shall receive any tolls, may reduce the rates of tolls hereby prescribed.

WILLIAM P. CUTLER,

*Speaker of the House of Representatives.*

EDSON B. OLDS,

*Speaker of the Senate.*

February 8, 1847.

## AN ACT

To authorize the Auditor of Hamilton county to sell lot number one, containing 54.55-100 acres, in the subdivision of the sixteenth section, in Delhi township, in said county; and to authorize an additional per centum to be levied for school purposes in the city of Cincinnati.

**WHEREAS**, the auditor of said county, on the twenty-eighth of August, one thousand eight hundred and thirty-seven, sold to Alexander McGrew, then living, but now deceased, said lot number one, for five thousand four hundred and fifty-five dollars, pursuant to an act entitled "an act to provide for the sale of section sixteen, in Delhi township, in the county of Hamilton," passed the fourteenth day of March, one thousand eight hundred and thirty-seven, for which the said McGrew paid, in his lifetime, eighteen hundred dollars, including interest; and the legal representatives of said McGrew declining to complete the purchase of said lot, by paying the residue, the same became forfeited, and thereupon the said auditor proceeded to expose the said lot to sale at public auction, pursuant to said act of the fourteenth of March, one thousand eight hundred and thirty-seven, but no person bidding the required sum, the same was struck off to the trustees of said section: therefore,

**SEC. 1.** *Be it enacted by the General Assembly of the State of Ohio,* That, on the application of the trustees of said section sixteen, the auditor shall proceed to sell said lot number one, at public auction or at private sale, to the highest bidder, at such time and on such credit as the said trustees shall direct, either together or in parcels, as the trustees shall deem expedient, and to give to the purchasers a certificate, who shall be entitled to receive a deed for such lot, upon paying the whole amount bid for the same, with all interest: Provided, the same shall not be offered for a less sum than the said auditor and trustees shall agree upon and determine.

**SEC. 2.** *Be it further enacted,* that should said trustees deem it advisable to sell said lot in parcels, they are hereby authorized to employ a surveyor, if necessary, to divide the same; and to cause a plat of the survey to be made and recorded, the expense of which said trustees are authorized to pay out of the proceeds of the sale; and no parcel shall be offered for sale for a less sum than said auditor and trustees shall agree upon and determine.

**SEC. 3.** *Be it further enacted,* that the principal and interest, (if sold upon a credit,) for which said lot may be sold, shall be paid according to the provisions of the act of the ninth of February, one thousand eight hundred and forty-three, passed in relation to said section sixteen.

**SEC. 4.** *Be it further enacted,* that the auditor, in making the sale as herein provided, shall be governed, in all respects, by the fourth section of the said act of the fourteenth of March, one thousand eight hundred and thirty-seven.

**SEC. 5.** That if any purchaser of any lot or parcel of land, as aforesaid, shall fail for one year to make payment of any installment or interest, which may have become due and payable thereon, the county auditor, as aforesaid, shall proceed to sell such parcel or tract of land, with all improvements thereon, at the court-house in the city of Cincinnati, to the highest bidder, after having given notice of the time and place of such sale, together with a description of the land, the amount due and to become due,



in some newspaper of general circulation, printed in said county, which said notice shall be published at least forty days before the day of sale, and said notice shall receive four weekly insertions in said paper, the last of which shall be in the last weekly number of said paper published before the day of sale: Provided, that no bid shall be received for a less sum than the amount due to the state, including the expenses of sale; and if that amount is not bid, such lot or tract of land, together with the money paid thereon, shall be absolutely forfeited to the state of Ohio, in trust for said township; but if such parcel or tract of land shall sell for more than the amount due the state of Ohio, including the expenses of sale, the surplus shall belong to the original purchaser, or his or her legal representatives, and shall be paid over accordingly, if the person entitled thereto be present and willing to receive the same, otherwise it shall be paid to the county treasurer for such person's use, to be paid over upon the order of the county auditor; and the bidder shall forthwith pay the amount due to the state, and the expenses of sale, into the county treasury; and the surplus, if any, as before mentioned; and if such bidder shall fail to make payment, as aforesaid, the county auditor shall forthwith proceed to expose said parcel or tract of land to sale, as hereinbefore provided.

SEC. 6. The city council of the city of Cincinnati be and the same is hereby authorized, upon the recommendation of the board of school trustees of said city, to increase the amount for school purposes, so as to require the levy of an additional one-fourth of one mill on the taxable property in said city in addition to the per centum authorized to be determined upon by the second section of the act entitled "an act to authorize the city council of the city of Cincinnati to levy taxes for school purposes," passed during the present session of the general assembly, whenever such increase may be deemed necessary for the continued, undiminished efficiency of the common schools in said city: Provided, however, that the power granted by this section shall cease, whenever the total amount of taxable property in said city, on the grand duplicate, shall come up to or exceed thirty-seven millions of dollars.

WILLIAM P. CUTLER,  
*Speaker of the House of Representatives.*  
EDSON B. OLDS,  
*Speaker of the Senate.*

February 8, 1847.

---

#### AN ACT

To amend an act entitled "An act to incorporate the town of Mount Vernon, in Knox county," passed February 26, 1845.

SEC. 1. *Be it enacted by the General Assembly of the State of Ohio,* That it shall be the duty of the Recorder of the town of Mount Vernon, to make and keep a fair and accurate record of all laws, rules or ordinances, made and ordained, as provided for in the act to which this is an amendment, and of the proceedings of the mayor and common council of said

town, in their corporate capacity ; which record shall be open at all times for the inspection of the electors of said town : he shall, in the absence or disability of the mayor, preside at all meetings of the common council, and perform all other duties pertaining to the office of mayor : it shall be his further duty, whenever a tax is levied by the mayor and common council, to make out a fair duplicate thereof, charging each individual with the amount of taxes assessed against him or her, according to the value of property by such individual owned, within the limits of said town, in proportion to the amount and value thereof, as stated in the books of the auditor of Knox county ; which duplicate shall be certified and signed by the mayor and recorder, and delivered to the marshal.

SEC. 2. That the marshal, before receiving said duplicate, shall give bond with security, to be approved of by the mayor and common council, in a sum not less than the amount of tax assessed on said duplicate, payable to the town of Mount Vernon, and conditioned for the faithful performance of the duties imposed on him by this act ; and shall proceed to levy and collect said taxes, upon the personal property of the person or persons against whom the same is charged, in the same manner as constables are required to collect money on execution, by sale of goods and chattels, and shall be entitled to the same fees that constables are entitled to for like services ; and shall, from time to time, pay over to the treasurer of said town, the money so by him collected, as aforesaid ; and, at the expiration of sixty days from the date of receiving said duplicate, shall return the same to the recorder, with his proceedings thereon ; and if any tax therein assessed against any real estate, be returned uncollected, and no goods nor chattels found, whereof to make the same, it shall be the duty of the recorder to certify the same to the county auditor, who, in making out the duplicate of state and county taxes, next thereafter, shall enter such delinquent taxes in a separate column of such duplicate, against the several persons charged therewith, and the same shall be collected with interest and penalty, as other taxes are collected.

SEC. 3. That the county treasurer shall, on the first Monday in January annually, account to the said mayor and common council, and pay over into the treasury of said town, the amount of such taxes so by him collected, as aforesaid, deducting therefrom the same rate of fees as he is entitled to for the like services in other cases.

SEC. 4. That the qualified electors of said town shall, at their annual elections, elect one street commissioner for said town, whose duty it shall be to supervise and direct all road work done within the limits of said town, who shall be governed by the laws regulating supervisors of roads, and by such ordinances, rules or regulations as the said mayor and common council shall, from time to time make, and shall receive for his services such compensation as said mayor and common council shall deem just and equitable ; and all moneys appropriated for road purposes, by said mayor and council, together with the two days labor provided for by law, within said town, shall be worked out under his direction ; and all taxes charged for road purposes, on property within the limits of said town, and collected by the county treasurer, shall be appropriated to road purposes : Provided, that the same, with all other road tax to be expended by him, and the two days' labor provided for by law, shall be laid out and expended in the improvement of

the streets and alleys within the ward where the same is charged or levied: Provided, also, that it shall be the duty of the trustees of Clinton township to settle and allow the street commissioner aforesaid, for his services for superintending the working of the two days' labor and the county road tax, the same compensation, and in like manner, as supervisors are by law allowed for like services: Provided, that for the purpose of collecting any tax assessed against personal property, and for the purpose of effecting a sale of any goods and chattels levied on and returned by the marshal "not sold," the said duplicate may be redelivered to the marshal, who shall proceed in the collection thereof, in the same manner as if no return had been made of the duplicate; and, if the same remains uncollected until the next levy and assessment of taxes by the said mayor and common council, it shall be the duty of the recorder to carry such delinquencies, together with all costs made by the marshal, upon the new duplicate.

SEC. 5. That the seventh and eighth sections of the act to which this is an amendment, or so much of said sections as may conflict with the provisions of act, be and the same are hereby repealed.

WILLIAM P. CUTLER,  
*Speaker of the House of Representatives.*  
 EDSON B. OLDS,  
*Speaker of the Senate.*

February 8, 1847.

---

AN ACT

To incorporate the town of Marion, in the county of Marion.

SEC. 1. *Be it enacted by the General Assembly of the State of Ohio,* That so much of the territory of the township of Marion, in the county of Marion, as is included in the following boundaries, to wit: beginning at the northeast corner of Holmes' addition to the town of Marion, thence south three degrees east, to the half section line dividing section twenty-two; thence north eighty-seven degrees east, to centre of said section twenty-two; thence south three degrees east, to the centre of said section twenty-two; thence continuing on said half section line, crossing the line dividing said section twenty-two from section twenty-seven, to a point in the half section line dividing said section twenty-seven, so that a line running south eighty-seven degrees west, will strike the most southern line of Sloan's addition to the town of Marion; thence south eighty-seven degrees west, to the southwest corner of said Sloan's addition; thence north three degrees west, on the west line of said addition, to the section line between sections twenty-one and twenty-eight; thence to the southwest corner of a lot owned by James H. Godman, Esq.; thence north three degrees west, to the northwest corner of said Godman's lot, in the centre of the road leading from Marion to Big Island; thence west with the centre of said road to the southwest corner of a lot owned by Thomas Henderson, on which he now resides; thence, along said Henderson's west line, north,

three degrees west, to the northwest corner of said lot; thence north eighty-seven degrees east, on said Henderson's north line, to a lot belonging to G. H. Busby; thence north three degrees west, on a line dividing lands belonging to heirs of Samuel Holmes from lands belonging to said Busby, J. Bartram, J. G. Clark's heirs, Joseph Bond, and F. Raicheley, to a point in the south line of lands belonging to the heirs of Peter Marks, at the northwest corner of said Raicheley's lot; thence north eighty-seven degrees east, on the south line of said Mark's land, to the place of beginning, be and the same is hereby created a town corporate by the name of the town of Marion: Provided that all additions which now are or hereafter shall be laid out as additions to said town of Marion, shall be included in said corporation, and subject to the provisions of this act.

SEC. 2. That for the good government, order and regulations of said town, it shall be and may be lawful for all white male inhabitants of said town having the qualification of electors of members of the General Assembly of this state, who have resided within the limits of said corporation for the term of twelve months next preceding any election to be held under this act, to meet at the court house in said town of Marion, on the third Tuesday of April next, and at such time and place, annually thereafter, as may be designated by the town council, and there proceed, by plurality of votes, to elect one mayor, one recorder, and five trustees, who shall be residents of said town, and otherwise possess the requisite qualifications of electors at such election; and said mayor, recorder, and trustees, being so elected and qualified, shall constitute the town council, any five of whom shall constitute a quorum for the transaction of business: Provided, no tax shall be levied, at any time, except by a vote of a majority of the whole council.

SEC. 3. The town council shall have power, by ordinance or ordinances duly published, to require all owners of lots, lot, or part of lot in said town, to make and construct a pavement or sidewalk of such width, and on such street or streets, in conformity with such grade, and of such material, adjoining such lot, lots or part of lot, together with a good and substantial curbing and gutters in front of such sidewalks, and also to alter or repair such pavements, sidewalks, curbing and gutters, or either of them, as to them shall seem proper and reasonable.

SEC. 4. If any owner or owners of a lot, lots, or part of a lot, as aforesaid, within said town, shall neglect or refuse to construct, alter, or repair such pavement, sidewalk, curbing or gutter, when required so to do in accordance with the provisions of the preceding section of this act, and within the time prescribed by the town council, the town council may then proceed to construct, repair, or alter such sidewalk, pavement, curbing or gutter, and may recover the costs and expenses thereof from the proprietor, by action of assumpsit, in any court having cognizance thereof, with costs of suit; or said council may assess such costs and expenses as a tax upon the premises, and the amount when so assessed and certified by the recorder of said town to the auditor of Marion county, shall be by him charged upon the duplicate of said county to such proprietor, and collected and paid over by the treasurer of said county of Marion, in the same manner as other taxes for said corporation are required by this act to be collected and paid over.

SEC. 5. The town council shall have power to levy and collect a tax on all real estate situate within the bounds of said corporation, excepting such parts of said territory as may not, at the time of such levy, be laid out into town lots, and on all personal property owned by persons residing within the limits of said corporation as the same has been or may hereafter be appraised and returned upon the grand levy of the state; which tax shall not, in any year, exceed three mills on the dollar of such valuation, and the amount to be determined between the first day of May and the first day of June in each year in which such tax shall be assessed: Provided, however, that nothing in this section contained shall be construed to prevent the town council from levying the tax provided for in the fourth section of this act; and provided, also, that no tax shall be levied on the personal property of any individual who is not charged with an amount equal to twenty dollars, or is the owner of real estate; nor shall any owner of horses, cattle, asses, mules, sheep or hogs be taxed, for corporation purposes, on more than two head of each of said species of animals.

SEC. 6. The tax levied by said town council shall be assessed and collected in the following manner, to wit: when the town council shall have determined the per centum to be levied upon the taxable property within said corporation subject to the restrictions and limitations contained in the fifth section of this act, they shall cause the same to be certified by the recorder of said town to the auditor of Marion county, and said auditor is hereby authorized and required to charge the proper persons the tax so assessed upon the amount of taxable property held by such person or persons within the limits of said corporation, in a separate column, to be by him ruled for that purpose on the duplicate of taxes assessed for state and county purposes, in the same manner that taxes for township purposes are placed on duplicate; which corporation taxes shall be collected by the treasurer of Marion county, or such other officer as may be appointed by law to collect state and county taxes, and paid into the treasury of said corporation according to the provisions of the eighth section of this act.

SEC. 7. That the same penalties shall accrue, and the same proceedings be had for the collection of taxes for said corporation, on town lots and other property, as in case of state or county taxes, and on all taxes returned delinquent by the treasurer of said county; and the said auditor and treasurer shall have the same powers, under the same restrictions and regulations in regard to penalties and interest to be charged and collected, as is provided in the collection of other taxes, and all sales, for arrearages of taxes due said corporation, of real or personal property shall be conducted in the same manner as sales for state or county taxes, and all arrearages of taxes so collected shall be paid over to the treasurer of said corporation according to the provision of the eighth section of this act.

SEC. 8. It shall be the duty of said county auditor, at the time of making the annual settlement with the county treasurer, to make out and deliver to said county treasurer a certificate of the amount collected for corporation purposes, after deducting the fees allowed said county treasurer by this act; and said county treasurer shall, within fifteen days thereafter, pay into the treasury of said corporation the full amount specified in said certificate, and take duplicate receipts therefor, one of which he shall forthwith file with the recorder of said corporation, and shall file the other

in his own office as his voucher; and in such settlement the said county treasurer shall be entitled to retain three per centum on all moneys by him collected for corporation purposes, and the town council shall allow the county auditor for his services the same fees as are allowed by law for similar services, to be paid out of the funds of said corporation.

SEC. 9. The schools and school districts within said corporation shall be and remain under the control and supervision of the township trustees the same as if this act had not been passed, and the several road districts shall be laid off and remain under the supervision of said township trustees, but the supervisors of highways, when working roads within the bounds of said corporation, shall conform to such grade as may be established by the town council.

SEC. 10. That for the purpose of more effectually preserving and securing said town from the ravages of fire, the town council shall have power to organize and establish all such fire companies and provide them with the necessary and proper engines and other instruments to extinguish fires, and preserve the property of the inhabitants of said town from conflagration, and to make such bylaws and regulations for the government of the same as they shall think expedient; and each and every person who shall belong to any such fire company shall, in time of peace, be exempt from the performance of military duty under the laws of this state; and said town council shall have power to make and ordain such ordinances as they may deem expedient to compel such of the householders in said town to furnish as many fire-buckets as said town council may think necessary and proper; to direct of what material and in what manner said buckets shall be made, due regard being had to the wealth of each householder, and the amount of property such householder may own in said town.

SEC. 11. That said town council shall have power to regulate by good and wholesome laws and ordinances for that purpose, all theatrical or other exhibitions, or public shows, and all exhibitions of any manner or kind to which admission shall be obtained by payment of money or other reward, having power to grant or refuse license thereto, and affix such penalties for any such exhibition without license as they may deem proper; and before granting such license it shall be lawful for said town council to exact, demand and receive therefor such sum or sums of money as they shall deem proper and reasonable or expedient, and annex thereto such terms and conditions in regard to time, place, or other circumstances under which such license shall be acted upon as, in their opinion, the peace, quiet and good order of society in said town may require; and for the violation of such terms and conditions aforesaid, the mayor shall have power to revoke or suspend such license in such manner as shall be provided for by ordinance.

SEC. 12. The mayor, recorder and trustees of said town of Marion, in their corporate capacity, as aforesaid, are hereby invested as the lawful owner or proprietor, with all the real and personal estate heretofore held and owned by the town council of the town of Marion in their corporate capacity, under an act of incorporation passed February twenty-second, one thousand eight hundred and thirty, repealed by an act entitled "an act to repeal the act entitled an act to incorporate the town of Marion, in the county of Marion, and for other purposes," passed February ninth, one

thousand eight hundred and forty-three: Provided, all acts done, or contracts made by the trustees of Marion township, under the last named act, shall continue in force the same as if this act had not been passed.

SEC. 13. Said corporation and the several officers thereof, in all respects not specially provided for in this act, shall be governed by the provisions of the act entitled "an act for the regulation of incorporated towns," passed February sixteenth, one thousand eight hundred and thirty-nine, and all other acts now in force, or which may hereafter be passed on that subject, not inconsistent with the provisions of this act, and the certificate of the recorder entered on the record of said town shall be sufficient evidence of all notices or publications required by said act.

SEC. 14. This act shall be taken and received in all courts and by all judges, justices of the peace, and other officers, as a public act, and all printed copies of the same which shall be printed by or under the authority of the General Assembly, shall be admitted as good evidence without any further proof whatever.

WILLIAM P. CUTLER,  
*Speaker of the House of Representatives.*  
EDSON B. OLDS,  
*Speaker of the Senate.*

February 8, 1847.

#### AN ACT

Further to amend the act entitled "an act to incorporate the town of Painesville."

SEC. 1. *Be it enacted by the General Assembly of the State of Ohio,* That the town council of the town of Painesville has and shall have power to ordain and establish bylaws, rules and regulations, to promote and secure the peace, comfort, health, morals, property and prosperity of the said town and its inhabitants, and also for the protection and security of all property and public buildings within, or which shall be within, the limits of said town; and it is hereby declared, that the power of said town council shall extend to the regulating and restraining of the sale of intoxicating liquors: Provided, they shall not interfere with taverns licensed by law, nor have power to grant licenses to retail such liquors in less quantities than one quart, nor to be drank on the premises where sold: and provided, that no bylaws shall be made repugnant to the laws of the state; and all bylaws ordained and established by said common council shall be published, by being posted up at the place of holding elections in said town, or in a newspaper printed therein, at least one week before the same shall be of any validity.

SEC. 2. It shall hereafter be lawful for said town council to levy and collect all taxes for said town according to the provisions of the fifteenth section of the act hereby amended, or according to the provisions of the fourth section of the act entitled "an act further to amend an act entitled 'an act to incorporate the town of Painesville,'" passed March fourteenth, one thousand eight hundred and thirty-six, at their discretion.

SEC. 3. In criminal cases, the jurisdiction of the mayor and marshal of said town shall be co-extensive with the county of Lake; and the provisions of the second section of the act, in the preceding section mentioned, which extends the jurisdiction of the mayor to Geauga county, is hereby repealed.

SEC. 4. Whenever the said county of Lake shall erect and establish a jail, the said town shall be allowed the use of the same for the confinement of any person liable to imprisonment under the bylaws of said town, from which time the right to the use of the jail of Geauga county, given by the act hereby amended, shall be repealed.

SEC. 5. The provisos to the ninth section of the act hereby amended, are hereby repealed.

SEC. 6. No person, who shall hereafter become a member of any fire company, or hook and ladder company, in said town, shall, by reason of such membership, or services in such companies, or either of them, be exempted from the performance of labor on the highways.

SEC. 7. In all matters relating to the affairs of said town, and in all transactions under its bylaws, the recorder shall have authority to administer oaths.

SEC. 8. Deeds, executed in pursuance of the charter or bylaws and orders of said town of Painesville, shall be recorded in the county of Lake, and not, as heretofore, in the county of Geauga.

SEC. 9. The town council of said town shall have power to make orders for the paving of streets and sidewalks, or parts thereof, by the owners of lots and parts of lots bounding on such streets, and to make bylaws for subjecting such lots and parts of lots, and their owners, to the payment of the expense of paving such streets and sidewalks, in front of such lots and parts of lots, respectively, in case such owners neglect to comply with such orders.

WILLIAM P. CUTLER,  
*Speaker of the House of Representatives.*  
EDSON B. OLDS,  
*Speaker of the Senate.*

February 8, 1847.

#### AN ACT

To enable the town of Bellville to convey a lot of land.

WHEREAS, it is represented that, in times past, Robert Bell, the elder, dedicated, without deed, to the town of Bellville, in Richland county, lot number eighty-five, in the town plat of Bellville, for school purposes; and whereas, it is represented that it will be beneficial to the purposes of schools that said lot be sold, and reinvested in other lot or lots, for the same purposes: therefore,



**SEC. 1.** *Be it enacted by the General Assembly of the State of Ohio,* That the mayor of said town of Bellville is hereby authorized, by and with the advice and consent of the corporate authorities of said town, to sell and convey the said lot number eighty-five, and reinvest the avails thereof in other lot or lots for school purposes in said town: Provided, that neither this act, nor such sale and conveyance, shall, in any manner, be construed to conflict with any rights of the said Bell, his heirs or assigns.

WILLIAM P. CUTLER,  
*Speaker of the House of Representatives.*  
EDSON B. OLDS,  
*Speaker of the Senate.*

February 8, 1847.

#### AN ACT

To authorize Mercy King, Ervilla King and Julian King, to surrender the lease for, and become the purchasers of, the northwest quarter of Section Sixteen, in Scipio township, Seneca county, Ohio.

**WHEREAS**, heretofore, in the year of our Lord, one thousand eight hundred and thirty-four, one Obadiah King, then of Scipio township, in Seneca county, and state of Ohio, for the consideration of eleven hundred dollars, then paid by him to one Moses F. Spencer, became the owner of a certain lease of the northwest quarter of section sixteen, being the school lands of said township, with the intention of then surrendering said lease, and obtaining the title in fee simple to said lands, according to the provisions of the laws then in force upon that subject; and whereas, the said Obadiah King, within a few days after his purchase of said lease, as aforesaid, and before he had surrendered the same, died, leaving Mercy King, Ervilla King, and Julian King, his then infants, and only heirs at law, and who have ever since paid the annual interest accruing upon said lease: therefore,

**SEC. 1.** *Be it enacted by the General Assembly of the State of Ohio,* That the said Mercy King, Ervilla King and Julian King, be and they are hereby authorized and empowered, at any time within two years from the passage of this act, to surrender the said lease of said northwest quarter of section sixteen, in the township of Scipio, and county of Seneca, aforesaid, and become the purchasers of said premises in fee simple, in the same manner as if the same had been done by the said Obadiah King, at the time of his decease, as aforesaid.

WILLIAM P. CUTLER,  
*Speaker of the House of Representatives.*  
EDSON B. OLDS,  
*Speaker of the Senate.*

February 8, 1847.

## AN ACT

To amend the act entitled "An act to incorporate the town of Steubenville, and also to provide better for the safety, peace, order and good government of said town."

SEC. 1. *Be it enacted by the General Assembly of the State of Ohio,* That the mayor, recorder and common council of the town of Steubenville, shall be, and they are hereby empowered to make and publish such ordinances and bylaws, in writing, as shall not be inconsistent with the constitution and laws of the State of Ohio, and of the United States, as to them shall seem necessary and proper for the health, safety, cleanliness, convenience, morals, peace, order and good government of said town; and to impose penalties by fine and imprisonment for the violation of such ordinances; and they shall have power to put and keep at hard labor on the streets or elsewhere, in such manner as the ordinances may prescribe, any person or persons convicted of offences against the bylaws and ordinances, to preserve peace and good order in said town.

SEC. 2. That all persons violating such bylaws and ordinances shall be liable to prosecution and punishment therefor, by suit in the name of the town of Steubenville, before the mayor, (or in case of his absence before the recorder of said town,) which officers shall have power to issue and put in execution such writs and other process as may be deemed necessary or proper for the enforcement of the bylaws and ordinances of said town.

SEC. 3. That the mayor, recorder, marshal, assistant marshal, and such other officers as may be appointed by the town council to preserve peace and order in said town, shall be conservators of the peace within the corporate limits of said town; they shall have power, and it shall be their duty to disperse any mob, riotous or disorderly assembly, in the square, market place, or other parts of said town; to suppress all riots or disturbances therein, and with or without warrant, to apprehend, take and keep in custody, any person or persons that have violated said ordinances, or who may be found violating the peace and good order of said town, or any bylaws or ordinances passed for the safety, peace and good order thereof, and such person or persons to secure and confine in the jail of the county, or such other place as may be provided, for a reasonable time, until a trial can be conveniently had, and such person or persons dealt with by a due course of law.

SEC. 4. The said mayor, recorder, marshal, assistant marshal, and other officers aforesaid, shall have the right to call upon and require the aid and assistance of the citizens or inhabitants of said town, to suppress any mob, riot or disturbance in said town, and to apprehend, secure, take, and keep in custody, any person or persons who may have violated, or be engaged in violating the bylaws and ordinances of the town; and any citizen or inhabitant of said town who shall neglect or refuse, upon being called on or required by any of said officers to aid or assist as aforesaid, shall be liable to prosecution therefor in the name of said town, before the mayor or recorder as aforesaid, and shall be subject to such fine as may be imposed therefor by the bylaws or ordinances of said town, not exceeding fifty dollars.

SEC. 5. That the marshal, assistant marshal, and any other officers appointed by the town council, who shall neglect or refuse to perform any duty imposed on him or them, by any law or ordinance of said town, for the

preservation of the peace or good order thereof, shall be liable to such fine therefor as may be imposed by the bylaws and ordinances of said town, and shall moreover be liable to removal from office by the town council, who may thereupon appoint another person to fill such office for the unexpired term.

SEC. 6. That all persons resisting the mayor, recorder, marshal, assistant marshal, or other officer of said town, in the execution of any ordinance for the peace and good order of said town, or in the apprehension, taking, or keeping in custody any person or persons that have violated or may be engaged in violating any of said ordinances, or shall aid and assist others in such resistance, shall be liable to prosecution therefor, before the mayor or recorder as aforesaid, in the name of the town, and shall be subject to such punishment as may be imposed by the ordinances and bylaws of said town for such offence.

SEC. 7. That all suits and prosecutions under the ordinances and bylaws of said town, shall be in the name of [the] town of Steubenville, before the mayor, or in case of his absence or disability, before the recorder; all fines that may be collected shall be paid into the treasury of the town, and in such suits and prosecutions the same costs shall be taxed as are allowed for similar services under the general laws of the state: Provided, that where the penalty for any offence is fine only, it may be recovered by action of debt in the name of the town or otherwise, as may be provided by such ordinance.

WILLIAM P. CUTLER,  
*Speaker of the House of Representatives.*  
EDSON B. OLDS,  
*Speaker of the Senate.*

February 8, 1847.

---

#### AN ACT

To lay out and establish a Free Turnpike Road from Defiance, in Defiance county, to the Indiana state line, at the point where the Fort Wayne road now crosses said state line, in the county of Paulding, in the State of Ohio.

SEC. 1. *Be it enacted by the General Assembly of the State of Ohio,* That Edwin Phelps of Defiance, Nathan Eaton of New Rochester and Horatio N. Curtiss of Antwerp, in the county of Paulding, be and they are hereby appointed commissioners to lay out and establish a free turnpike road from Defiance, in the county of Defiance, by the nearest and most practicable route to the Indiana state line, at the point where the Fort Wayne road now crosses said state line, in the county of Paulding, in the State of Ohio.

SEC. 2. The commissioners aforesaid, and their successors shall be a corporation by the name and style of the Defiance, New Rochester and Antwerp Free Turnpike Road, and they shall be governed in all things by the provisions of the act to provide for laying out and establishing free turnpike roads, passed March twelfth, one thousand eight hundred and forty-five, and the acts amendatory thereto: Provided, that the road tax

on the lands or property on the north side of the Maumee river, or within one mile on each side of the state road leading from Antwerp to Hicksville, shall not be appropriated to the construction or repair of said road.

WILLIAM P. CUTLER,

*Speaker of the House of Representatives.*

EDSON B. OLDS,

*Speaker of the Senate.*

February 8, 1847.

#### AN ACT

To authorize the Commissioners of Licking county to take stock in Railroad Companies.

SEC. 1. *Be it enacted by the General Assembly of the State of Ohio,* That the commissioners of Licking county, with the consent of a majority of the legal voters of said county, to be expressed as hereinafter provided, be and they are hereby authorized and required to subscribe, in the name and for the benefit of said county, to the capital stock of any company which is now, or may hereafter be incorporated to construct a railroad, which shall pass through the territory, or a portion of the territory of said county, the sum of one hundred thousand dollars, or any less sum not under fifty thousand dollars.

SEC. 2. That the commissioners of said county, in payment of any amount of stock subscribed under this act, shall issue bonds or obligations of the county, in equal amounts, payable to the company in which said stock may be subscribed, and made negotiable, bearing interest, to be paid annually at the treasury of said county, at the rate of six per cent., and redeemable at such time as may be deemed expedient by said commissioners, not over twenty-one years from date.

SEC. 3. That said commissioners shall keep an accurate register of all bonds or obligations issued by them under the provisions of this act, showing the dates, numbers and amounts thereof, and to whom, and when payable; and they shall, moreover, cause to be kept in the office of the county auditor such books and entries as will fully show all liabilities, receipts, disbursements, and the precise state of the indebtedness of the county, in any way arising under this act.

SEC. 4. That the faith of the county, and the net profits or dividends upon the stock subscribed by the county to any company, shall stand pledged for the payment of the indebtedness and interest which may become due from said county under this act; and it is, moreover, hereby made the duty of the commissioners and the auditor of said county, from and after any indebtedness against said county, arising under this act, to add such per centum upon the tax duplicate of said county, annually, over and above the ordinary state and county taxes as shall be sufficient, including the dividend aforesaid, to pay the accruing interest arising under this act, and also to produce a sinking fund of such amount as they may deem expedient; and the money so levied, when collected, shall be applied to the purpose aforesaid, and to none other.

**SEC. 5.** That said commissioners shall, by themselves or such agent or agents as they may appoint, have full power to vote at all meetings of the stockholders of any railroad company, in proportion to the stock owned by the county, and in all other respects to act in the business of such company as individual stockholders to the same are authorized by the law to do; and, moreover, the said commissioners are hereby authorized, whenever they may deem the same expedient, to sell and transfer any or all stock owned by the county in any company in order to pay off the indebtedness which may arise under this act: Provided, however, that no such sale or transfer of any stock shall be valid unless it produce its full par value, and the proceeds of such sale be applied to the extinguishment of an equivalent amount of the indebtedness of the county, created under this act.

**SEC. 6.** That before any stock shall be subscribed to any railroad company under this act, the question shall be submitted to the qualified electors of said county, whether the county shall become a subscriber or not; and to this end it is further provided, that upon the written application of thirty or more citizens of said county to the sheriff of the same, thirty days prior to any annual spring or fall election, naming specifically the company in which stock is proposed to be taken, it shall be the duty of said sheriff to give notice, at least twenty days prior to said election, by advertisement in all the newspapers published in said county, and continue the same in said papers until the time of said election, that a vote will be taken for and against such subscription; and the said sheriff shall also publish in each of said papers for the same length of time, a copy of this act; and the qualified electors of the different townships of said county, shall, at the elections so given notice of by the sheriff as aforesaid, vote for or against said subscription, by using one or the other of the following phrases, to be written or printed on their ballots: "For subscription" — "Against subscription."

**SEC. 7.** That the judges of said township elections shall respectively keep a statement of all the votes given for or against said subscription at said elections; and within three days after said elections, the said judges of election shall certify to the clerk of the court of common pleas of said county, the number of votes given for and against the proposition; and it is hereby made the duty of said clerk, in the presence of two justices of the peace of said county, to examine and make an abstract of all the votes given in the county against, and all the votes given in favor of subscription, which abstract shall be signed by said clerk and justices, and filed in the office of said clerk; and if it shall be found that more than half the votes given at said elections on the question, shall be in favor of subscription, the clerk shall certify the same to the county commissioners, whose duty it shall be thereupon to subscribe for the stock in such railroad company, and in all other respects to conform themselves to the provisions of this act.

**SEC. 8.** That said commissioners shall allow reasonable fees to the auditor, sheriff, printers, judges of elections, clerk, justices of the peace, and themselves, for any services done under this act, which fees shall be paid out of the county treasury.

**SEC. 9.** Before the officers of any railroad company shall receive any subscription of stock under this act, they shall procure the assent of the stockholders of such railroad company to the following articles, as amend-

ments to their charters respectively; and any such subscription of stock received by any railroad company shall be evidence that the said company has adopted the said articles as amendments to its charter: Article 1. The Governor shall have the power to prescribe what price may be charged by said company for the transportation of the troops and munitions of war belonging to this state and the United States, should the board of public works at any time entertain the opinion that the prices charged therefor by such company are unreasonably high. Article 2. At any time after the expiration of ten years from the time said road shall be put in operation, it shall be lawful for the general assembly to prescribe the rates to be charged for transportation of persons or property upon said road, should they be deemed too high, and may exercise the same power every ten years thereafter: Provided, that no reduction shall be made which will diminish the profits of the company below a sum equal to ten per centum upon its capital.

SEC. 10. This act shall take effect and be in force from and after its passage.

WILLIAM P. CUTLER,  
*Speaker of the House of Representatives.*  
EDSON B. OLDS,  
*Speaker of the Senate.*

February 8, 1847.

---

AN ACT

To amend an act entitled "An act to provide for the improvement of the navigation of Duck Creek in the counties of Washington and Monroe."

SEC. 1. *Be it enacted by the General Assembly of the State of Ohio,* That the act to which this is an amendment, is hereby extended so as to include the west fork of Duck Creek to the north line of Olive township, in Morgan county; that the same be opened and declared a navigable stream or public highway.

SEC. 2. That the supervisors of the road districts bordering on said creek, between the north line of Olive township, in Morgan county, and Regnier's mills, in Washington county, be authorized and required to call out all persons subject to perform labor on the public highways, or such proportion as may be just and proper in each year, and remove the obstructions that may be in the channel and on the banks of said stream, and be governed by the act to which this is an amendment, except as herein provided.

SEC. 3. That this act take effect and be in force from and after its passage.

WILLIAM P. CUTLER,  
*Speaker of the House of Representatives.*  
EDSON B. OLDS,  
*Speaker of the Senate.*

February 8, 1847.

## AN ACT

To lay out and establish a free turnpike road, from Logan to New Mt. Pleasant, in Hocking county, and to McArthurston, in Athens county.

**SEC. 1.** *Be it enacted by the General Assembly of the State of Ohio,* That John Holland, James Gibson, and Jacob Byerly, of Hocking county, and David Evins, of Athens county, be and they are hereby appointed commissioners to lay out and establish a free turnpike road, commencing at Logan, (or the Hocking Falls, in Hocking county,) from thence to New Mt. Pleasant; from thence to McArthurston, in Athens county.

**SEC. 2.** Said commissioners shall be governed in all respects by the act passed March twelfth, one thousand eight hundred and forty-five, entitled "an act to lay out and establish free turnpike roads," and, also, the act amendatory thereto.

**SEC. 3.** That said commissioners, and their successors in office, shall be a corporation by the name and style of the Logan, New Mt. Pleasant, and McArthurston Road Company.

WILLIAM P. CUTLER,  
*Speaker of the House of Representatives.*  
EDSON B. OLDS,  
*Speaker of the Senate*

February 8, 1847.

## AN ACT

To authorize the sale of the south half of the southwest quarter, and the east half of the northwest quarter of section sixteen, in township number 14, range number 16, in Perry county, Ohio.

**SEC. 1.** *Be it enacted by the General Assembly of the State of Ohio,* That the south half of the southwest quarter, and the east half of the northwest quarter of section sixteen, township number fourteen, range number sixteen, Perry county, be and the same is hereby authorized to be sold; provided, no part thereof shall be sold for less than the appraised value thereof; and such sale shall, in all respects, be conducted and governed by the provisions of an act entitled "an act to regulate the sale of ministerial and school lands, and the surrender of permanent leases thereto," passed February second, one thousand eight hundred and forty-three, and in accordance with an act entitled "an act to fix the minimum price of the sale of school lands," passed March fourth, one thousand eight hundred and forty-five.

WILLIAM P. CUTLER,  
*Speaker of the House of Representatives.*  
EDSON B. OLDS,  
*Speaker of the Senate.*

February 8, 1847.

## AN ACT

To authorize the sale of school section sixteen, in Olive township, Morgan county.

**SEC. 1.** *Be it enacted by the General Assembly of the State of Ohio,* That school section sixteen, in township six, range nine, in Olive township, Morgan county, be and the same is hereby authorized to be sold; provided that no part thereof shall sell for less than the appraised value thereof; and such sale shall, in all respects, be governed by the provisions of an act entitled "an act to regulate the sale of ministerial and school lands, and the surrender of the permanent leases thereto," passed February second, one thousand eight hundred and forty-three, and in accordance with the "act to fix the minimum price of the sale of school lands," passed March fourth, one thousand eight hundred and forty-five.

WILLIAM P. CUTLER,

*Speaker of the House of Representatives.*

EDSON B. OLDS,

*Speaker of the Senate.*

February 8, 1847.

## AN ACT

To authorize the sale of the south half of lot number twenty-four, section three, township seven, range eighteen, United States Military School Land, in Delaware county.

**WHEREAS**, all laws heretofore passed to authorize the sale of the south half of lot number twenty-four, section three, township seven, range eighteen, United States military school land, in Delaware county, Ohio, have failed to enable the several township and county officers charged with the management and sale thereof, to complete the sale of said lot; and whereas, said lot continues to remain unproductive of any interest or revenue, either for state, county, or school purposes; therefore,

**SEC. 1.** *Be it enacted by the General Assembly of the State of Ohio,* That the county commissioners of Delaware county are hereby authorized and required, at their next March session, to appoint three disinterested and competent freeholders of said county, but not residing within the bounds of township number seven, range eighteen, who shall forthwith proceed to view and appraise, upon oath or affirmation, the south half of lot number twenty-four, section three, township seven, range eighteen, in Westfield township, in said county of Delaware, and make return of said appraised value in cash so made, to the auditor of said county, on or before the twentieth day of said next March.

**SEC. 2.** That it shall be the duty of said auditor, on the receipt of said appraisement, to give at least thirty days' notice, by advertisement in both the newspapers printed in the town of Delaware, in said county, and by written copies of said notice set up in three public places in said township seven, and one on the door of the auditor's office, of the time and place



of sale; and, pursuant to said notice, he shall, between the hours of ten o'clock, A. M., and four o'clock, P. M., at the door of the court house in said county, proceed to sell said south half lot number twenty-four, to the highest responsible bidder, on the following terms, viz: fifty dollars to be paid to said auditor at the time of sale, and the balance of the purchase money to be paid in five equal yearly payments, with interest payable annually: Provided, said auditor shall not receive or consider any bid for said lot less than the appraised value thereof; and provided, further, that in case any purchaser shall fail to comply with the conditions of sale, with regard to the first payment, said auditor shall declare said sale void, and immediately proceed again to offer said lot for sale, and, if necessary, either on account of the purchaser failing to comply, or for want of bidders, continue said sale from day to day, and shall also proceed in an action of debt before any justice of the peace in and for said county, to collect, from such delinquent purchaser, six per cent. on the amount of the purchase money bid by him, together with costs.

SEC. 3. That the auditor shall, on a sale being made, give to the purchaser a certificate of sale in manner and form of certificates of purchase issued heretofore on the surrender of leases of school land in said county of Delaware, (excepting that part referring to the surrender of the leases,) which certificate shall be assignable; and upon the payment of the whole of said purchase money and interest, said auditor shall make and execute a deed of said lot of land to the purchaser or purchasers, their heirs or assigns.

SEC. 4. The appraisers aforesaid shall be entitled to receive one dollar each, per day, for every day necessarily employed in said service, to be paid out of the county treasury on the order of the county auditor, to be refunded as hereinafter provided.

SEC. 5. The auditor shall, out of the first moneys received on said sales, pay over to the county treasurer, for the use of the county, all expenses heretofore paid by said county for expenses incurred under former laws relative to the appraising, surveying, advertising and selling the aforesaid lot; also, the amount of costs incurred under this act, including printer's fees, and the sum of two dollars to be retained by said auditor for his services herein rendered, exclusive of making the deed for the aforesaid lot, for which, when made, he shall be entitled to receive twelve and a half cents per hundred words, to be paid by the purchaser receiving the same.

SEC. 6. Said auditor shall pay over the remainder of said first payment to the county treasurer, for the use of schools in said township number seven, and shall also pay over to said county treasurer, from time to time, any and all moneys, either principal or interest, or penalty, received on said sale, which shall be annually paid by said treasurer into the state treasury, for the use of schools, as other funds arising from said school lands in Delaware county.

SEC. 7. It shall be the duty of the auditor, in case any part of the interest or principal shall remain due and unpaid at any time, for the term of one year, to proceed to collect the same as in other cases of debt, and said interest or principal shall, at all times, be a lien on said premises sold.

SEC. 8. It shall be the duty of the secretary of state, immediately after

the passage of this act, to transmit by mail, one copy, each, to the auditor and treasurer of Delaware county.

SEC. 9. All laws inconsistent with this law are hereby repealed so far as they effect, or are effected by this act.

WILLIAM P. CUTLER,  
*Speaker of the House of Representatives.*  
EDSON B. OLDS,  
*Speaker of the Senate.*

February 8, 1847.

---

AN ACT

To provide for funding the debts of the Ohio University.

SEC. 1. *Be it enacted by the General Assembly of the State of Ohio,* That the president and trustees of the Ohio University, be and they are hereby authorized to fund any amount of the debts due from said university, not exceeding ten thousand dollars, in sums not less than one hundred dollars each, for such length of time, and at such rates of interest, not exceeding seven per centum per annum, as may be agreed upon.

SEC. 2. That the said stock or debts, so to be funded, shall, at all times after so funded, be exempt, in the hands of the owner or owners thereof, from taxation.

WILLIAM P. CUTLER,  
*Speaker of the House of Representatives.*  
EDSON B. OLDS,  
*Speaker of the Senate.*

February 8, 1847.

---

AN ACT

To authorize the sale of section sixteen, in Green township, in Hamilton county.

SEC. 1. *Be it enacted by the General Assembly of the State of Ohio,* That section sixteen, in Green township, in Hamilton county, be and the same is hereby authorized to be sold, according to the provisions of the act entitled "an act to regulate the sale of ministerial and school lands, and the surrender of permanent leases thereto," passed February second, one thousand eight hundred and forty-three.

SEC. 2. That no part of said lands shall be sold for a less sum than forty dollars per acre, nor less than its appraised value.

WILLIAM P. CUTLER,  
*Speaker of the House of Representatives.*  
EDSON B. OLDS,  
*Speaker of the Senate.*

February 8, 1847.

## AN ACT

Authorizing the Town Council of the town of Miamisburg to renumber the lots in said town.

SEC. 1. *Be it enacted by the General Assembly of the State of Ohio,* That the town council of the town of Miamisburg, in the county of Montgomery, be and it is hereby authorized to make a general revision of the numbers of all the lots in said town of Miamisburg, as the same now stand upon the record of the original plat of said town, and in the various plats of addition thereto and subdivisions therein, and to number anew all the said lots, so that the in-lots in said town shall have but one single consecutive series of numbers, beginning with number one; and the out-lots shall have but one similar series of numbers, also beginning with number one; and that no two in-lots shall thereafter be known and designated by one and the same number in said town.

SEC. 2. That the said council shall make a schedule of all the in-lots in said town of Miamisburg, beginning with the original plat; setting down the lots in the same in the order of their numbers, and placing opposite thereto the new numbers which shall be appropriated to the respective lots; and, after the original plat, following in the same manner with the plats of addition and subdivisions, according to their priority in dates, so that the first column shall contain the present numbers of the said in-lots in their consecutive order, and the second column shall exhibit, opposite to the said numbers, respectively, the new number appropriated to each of the said lots; and in the same manner it shall make a schedule of the out-lots in said town, designating them in the first column by their present numbers, with the same regard to priority of date, and exhibiting in the opposite column the new numbers given to said out-lots, respectively; and they shall also make a schedule of all the in-lots in the said town, the first column of which shall contain the new numbers appropriated to the said in-lots in regular consecutive series, beginning with number one, and the second column shall exhibit the numbers previously borne by the said lots, with an accurate and distinct indication of the plat in which such in-lot stands upon record; and in the same manner they shall make a schedule of the out-lots in the said town, in which the new numbers thereof shall stand in regular series in the first column, and the second column shall exhibit the present number thereof, and the plats in which they are recorded; and all the said schedules shall be placed upon record, in the offices of the auditor and recorder of Montgomery county, and upon the records of said town of Miamisburg.

SEC. 3. That whenever the revision and renumbering of the lots in the said town of Miamisburg shall have been made, and the schedules thereof recorded, as provided for in the first and second sections of this act, the said lots shall be assessed and entered upon the duplicates in the auditor's office, according to their new numbers; and in all the operations of the assessment and collection of taxes, they shall be lawfully known and designated by the new numbers given to them under the authority of this act; and all the conveyances of the same may be made by the said new numbers, which shall be sufficient to pass the same in the same manner that such lots might be conveyed when described by their old numbers.

SEC. 4. That after the revision aforesaid shall have been made and recorded, as hereinbefore provided, every person who shall lay off lots within the said town as an addition thereto, or who shall make a subdivision of any lots therein, shall number the lots, so laid off upon his plat, in regular consecutive numbers, commencing with the next number of [after] the highest number of in-lots or out-lots, as the case may be, that shall be on record, as forming a part of the said town of Miamisburg; and it shall not be lawful for the recorder of Montgomery county to record any plat of in-lots or out-lots in said town, which may be presented for record after the revision herein provided for shall have been made, unless he shall find, upon examination thereof, that the numbers of the lots thereon are in regular continuation from the last number of lots already on record.

WILLIAM P. CUTLER,

*Speaker of the House of Representatives.*

EDSON B. OLDS,

*Speaker of the Senate.*

February 8, 1847.

#### AN ACT

To incorporate the Central Ohio Railroad Company.

SEC. 1. *Be it enacted by the General Assembly of the State of Ohio,* That Robert Neil, Samuel Medary, Joel Buttles, Joseph Ridgway and Bela Latham, of the county of Franklin, David Smith, Daniel Duncan, Adam Seymour, Israel Dille, Albert Sherwood, Nathaniel B. Hogg, Levi J. Humphrey, Jacob Glessner, George W. Penney, Jonathan Taylor, A. P. Prichard and Wickliff Condit, of the county of Licking, James Raguett, Robert Mitchell, Daniel Brush, John Hamm, Solomon Sturgess, Richard Stilwell, Daniel Convers, Levi Claypool and Solomon Woods, of the county of Muskingum, and those who may hereafter become stockholders in the manner hereinafter prescribed, their successors and assigns, be and they are hereby created a body corporate by the name and style of the Central Ohio Railroad Company, with perpetual succession; and, by that name and style, shall be and are hereby made capable in law of having, purchasing, receiving, possessing, selling and conveying such real and personal estate and property as shall be requisite for their accommodation and convenience, of suing and being sued, impleading and being impleaded, answering and being answered unto, defending and being defended, in courts of record and elsewhere, and also of having and using a common seal, and of breaking, renewing and changing the same at pleasure.

SEC. 2. The said corporation shall be and hereby is vested with the right and authority to construct a railroad, with a single or double track, commencing at or near the city of Columbus, in the county of Franklin; thence to the town of Newark, in the county of Licking; thence to the town of Zanesville, in the county of Muskingum; and from thence to such point on the Ohio river as the directors may select; the said corporation is

also vested with the authority to extend said railroad westward from the city of Columbus to the line which divides the States of Ohio and Indiana, whenever the directors shall deem it expedient so to do.

SEC. 3. That the capital stock of said company shall be one million five hundred thousand dollars, with the privilege of increasing the same to two and a half millions, if necessary, and shall be divided into shares of fifty dollars each.

SEC. 4. That the above named persons, or any eight of them, are authorized to order books to be opened for receiving subscriptions to the capital stock of said corporation, at such time or times, and at such place or places as they may deem expedient, under the direction of at least three of the persons named as aforesaid, having given not less than twenty days' previous notice in a newspaper published in the county where books of subscription are to be opened, of the time and place of opening said books. As soon as ten thousand dollars of said stock shall be subscribed, they may give a like notice for a meeting of the stockholders at such time and place as they may designate, for the purpose of choosing directors, to continue in office for the term of one year, and until others are duly appointed in their stead; at the time and place appointed, thirteen directors shall be chosen by ballot by such of the stockholders as shall attend either in person or by lawful proxies; each share of the capital stock shall entitle the owner to one vote, and a majority of all the votes given shall be necessary for a choice; the persons named in the first section of this act, or such of them as may be present, shall be inspectors of such election, and shall certify, under their hands, what persons are elected directors, and shall appoint the time and place for holding their first meeting; seven directors shall form a board, and be competent to transact all business of the corporation; a new election shall be annually held for directors at such time and place as the stockholders at their first meeting shall determine, or as the bylaws of the corporation may require; and the directors chosen at any election shall, so soon thereafter as may be convenient, choose out of their number one person to be president and one to be treasurer of the corporation.

SEC. 5. That upon every subscription there shall be paid, at the time of subscribing, to the persons authorized to open books, the sum of five dollars upon each share subscribed, or the same may be secured to be paid when called for by the directors, at the option of the person receiving such subscription, and the residue thereof shall be paid in such installments, and at such times, as may be required by the president and directors of said company, to the treasurer thereof; and the said company are authorized to take and receive, from such persons as shall purchase such stock, as aforesaid, such bonds or notes, for the residue of the purchase money of said stock, as they may think expedient.

SEC. 6. If the installments remain unpaid for sixty days after the time of payment has elapsed, the directors, in the name of the company, may collect the same by suit, or may sell the stock at public auction for the installments then due, giving thirty days' notice of the time and place of sale, by advertisement in some newspaper in general circulation in the county where such sale is to be made; and the residue of the money ari-

sing from such sale, after paying such installments and costs, shall be paid over to the owner.

SEC. 7. That said company shall have the right to enter upon any land to survey and lay down said road, and to take any materials, except timber, necessary to the construction and repair of said work; and whenever any lands or materials shall be taken or granted to said company, and the owners thereof do not agree with said company as to the compensation to be paid therefor, the person or persons claiming compensation, or if the owner or owners of said property are minors, or insane persons, or married women, then the guardian or guardians of such minors or insane persons, and the husbands of such married women, or the said company, may apply to the court of common pleas of the proper county for the appointment of three appraisers, who shall appraise the damages to be sustained by such owner or owners, and make return thereof to said court; and in all cases where compensation shall, in any manner, be claimed for lands or the right of way, it shall be the duty of the arbitrators to estimate and set off any advantages which the location and construction of said road may be to the claimant; and said company shall have the right to retain, own, hold and possess said materials, and to the use and occupation of said lands, as fully and absolutely as if the same had been granted and conveyed to said company by deed, so long as said land shall be used for the purposes expressed in this act, but no longer: Provided, that before the said company shall enter upon any land for the purpose of constructing the said road, or for the purpose of procuring materials for the same, they shall pay or secure to the owner of such land or materials payment for the same, as may be awarded by the provisions of this section.

SEC. 8. If said railroad company shall not be organized within three years from the date of the passage of this act, and if twenty miles of the road be not completed within six years from such date, then this act will be null and void.

SEC. 9. That if it shall be necessary, in the selection of the route, or construction of the road, to connect the same with, or to use any road, street or bridge, made or erected by any company or persons incorporated or authorized by any law of this state, it shall be lawful for the said company, and it is hereby authorized to contract and agree with any such other corporation or persons for the right to use such road, street or bridge, or for the transfer of any of the corporate or other rights and privileges of such corporation or person to the said president and directors of this corporation; and all such other corporations and persons incorporated by, or acting under the laws of this state, are hereby authorized to make such an agreement, contract or transfer by and through the agency of their corporate officers, or by such persons as, by any law of this state, are intrusted with the direction and management of such road, street or bridge; and every contract to transfer, made in pursuance of the authority hereby granted, when executed by the several parties, under their respective corporate seals, or otherwise legally authorized, shall vest in this corporation all the rights and privileges vested in said corporation or persons, as shall be specified in the contract and agreement above referred to.

SEC. 10. Whenever it shall be necessary, for the construction of the railroad, to intersect or cross any stream or watercourse, or any railroad or

highway, lying in or across the route of said road, it shall be lawful for the corporation to construct the said railway across or upon the same; but the corporation shall restore the stream or watercourse, road or highway thus intersected, to its former state, or place it in such condition as not to impair its former usefulness; and if said corporation, after having selected a route for said railway, find any obstacle in continuing said location, either by the difficulty of construction, or procuring the right of way at reasonable costs, or whenever a better and cheaper route can be had, it shall have authority to vary the route and change the location.

SEC. 11. That said corporation may demand and receive from all persons traveling upon said road, or for the transportation of property, such rates of toll as the said corporation may think reasonable, which rates they shall have posted up in some public place at each of the depots.

SEC. 12. That, at the regular annual meeting of the stockholders of said company, it shall be the duty of the president and directors in office for previous year, to exhibit a clear and distinct statement of the affairs of the company; and the president and directors shall, annually or semi-annually, declare and make a true dividend of the net profits arising from the revenues of the company, deducting the necessary current and probable contingent expenses, and that they shall divide the same among the stockholders of said company, in proportion to their respective shares.

SEC. 13. That every president, director, treasurer and secretary of said company, before he acts as such, shall swear or affirm, as the case may be, that he will well and truly discharge the duties of his said office, to the best of his skill and judgment; and the arbitrators authorized by the seventh section of this act, before they proceed to estimate damages, shall, severally, take an oath or affirmation faithfully, impartially and honestly to discharge their duty; and the said appraisers shall, severally, receive for their services one dollar per day, for every day they may necessarily be employed, which shall be paid by said corporation.

SEC. 14. That said company shall have power, on the credit of the company, to borrow money, not exceeding the capital stock authorized by this act, at a rate of interest not exceeding seven per cent. per annum; and, for the purpose of effecting said loan, the directors of said company shall have power, in the name of the company, to make and execute such bonds, promissory notes and other evidences of debt, and payable at such times and places as they may deem expedient, which said bonds, notes and other evidences of debt may be made transferable and redeemable, in such form and at such times and places as may be therein designated.

SEC. 15. That, for the security of the payment of such money so borrowed and the interest thereon, said directors may pledge, by mortgage or otherwise, their entire road, franchises, fixtures and equipments, with the income and resources thereof, together with the capital stock.

SEC. 16. The directors shall have power to make such bylaws, rules and regulations for the government of the agents and servants of said company as may, from time to time, be deemed essential to its interests and not inconsistent with the constitution and laws of the United States and of this state, and may determine the time and terms of payment of stock; the number and kinds of tracks, turnouts, branches, carriages, conveyan-

ces, outhouses, depots and other fixtures and machinery; prescribe the mode of transferring stock, and determine all other matters in relation thereto, as may be required.

SEC. 17. This company may and they are hereby authorized to commence and complete any part of said road, at any point of its location; and said company may demand and receive the same rates of toll for the transportation of persons or property, on any part thus finished, as if the entire work were completed and in operation.

SEC. 18. That if any person shall willfully, by any means whatever, injure, impair or destroy any part of said railroad, constructed by said company under this act, or any of the necessary works, buildings, cars or machinery of said company, such person or persons so offending shall, each of them, for every such offence, forfeit and pay to said company twofold the damages, which may be recovered, in the name of said company, by an action of debt, with costs of suit, in any court having cognizance thereof, and shall also be subject to an indictment in the court of common pleas of the county where such offence may be committed, and upon conviction of such offence, shall be punished by fine not exceeding five hundred dollars and imprisonment in the jail of said county not exceeding ten days.

SEC. 19. The governor shall have the power to prescribe what price may be charged by said company for the transportation of the troops and munitions of war belonging to this state and to the United States, should the board of public works, at any time, entertain the opinion that the prices charged therefor, by such company, are unreasonably high.

SEC. 20. At any time after the expiration of ten years from the time said road shall be put in operation, it shall be lawful for the general assembly to prescribe the rates to be charged for transportation of persons or property upon said road, should they be deemed too high, and may exercise the same power every ten years thereafter: Provided, that no reduction shall be made unless the profits of the company shall amount to a sum equal to eight per centum per annum upon its capital.

SEC. 21. The said railroad company shall have the power to acquire title, by purchase or voluntary cession, to lands and real estate in the vicinity of said road, or through which the same is or may be located, so far as the same may be necessary or convenient to procure the right of way, or such as may be granted to aid in the construction of their road, or be given by way of subscription to capital stock, and the same to hold or convey in such way as the board of directors may determine; and all deeds, made in the name of said company, for the conveyance of real estate in fee simple or any lesser estate, shall be assigned [signed] by the president, and by him acknowledged, under the corporate seal of the company.

WILLIAM P. CUTLER,

*Speaker of the House of Representatives.*

EDSON B. OLDS,

*Speaker of the Senate.*

February 8, 1847.



## AN ACT

To incorporate the Wellsville and Pittsburgh Railroad Company.

SEC. 1. *Be it enacted by the General Assembly of the State of Ohio,* That William Farmer, Jacob Groff, of Jefferson county, J. A. Riddle, Geo. Wells, Duncan McDonald, John McIntosh, J. S. Blakely, Sanford C. Hill, and Daniel T. Langson, of the county of Columbiana, and those who may hereafter become stockholders in the manner hereinafter prescribed, their successors and assigns, be and they are hereby created a body corporate, by the name and style of the Wellsville and Pittsburgh Railroad Company, with perpetual succession; and by that name and style shall be and hereby are made capable, in law, to have, purchase, receive, possess, sell, convey and enjoy real and personal estate, and to retain to them, their successors and assigns, all such lands, tenements and hereditaments, as shall be requisite and actually necessary for their accommodation and convenience in the transaction of their business; to sue and be sued, implead and be impleaded, answer and be answered unto, defend and be defended in courts of record and elsewhere; and also to have and use a common seal, and the same to alter, break, renew or change, at pleasure.

SEC. 2. The said corporation are hereby vested with the right and authority to construct a railroad, commencing in or near the town of Wellsville, in the county of Columbiana; and from thence, on the most feasible route along the bank of the Ohio river, up to the Pennsylvania state line.

SEC. 3. That the capital stock of said company shall be one hundred and fifty thousand dollars, and shall be divided into shares of fifty dollars each.

SEC. 4. That the above named persons, or any six of them, are authorized to open books for receiving subscription to the capital stock of said corporation, to be opened at such time or times, and at such places, as they may deem expedient, under the direction of not less than three of the persons named, as aforesaid, having given not less than ten days' previous notice, in a newspaper published in the county where books of subscription are to be opened, of the time and place of opening said books; and as soon as fifteen thousand dollars of said stock shall be subscribed, they may give a like notice for the meeting of stockholders, to meet at such time and place as they may designate, to choose directors, to continue in office for the term of one year, and until others are duly appointed in their stead. At the time and place appointed, thirteen directors shall be chosen, by ballot, by such of the stockholders as shall attend for that purpose, either in person or by lawful proxies; and each share of the capital stock shall entitle the owner to one vote. The persons named in the first section of this act, or such of them as may be present, shall be inspectors of such election, and shall certify, under their hands, what persons are entitled directors, and appoint the time and place for holding the first meeting of directors. Seven directors shall form a board, and be competent to transact all business of the corporation. A new election of directors shall be made, annually, at such time and place as the stockholders, at their first meeting, shall appoint, or as the laws of the corporation may require; and the directors, chosen at any election, shall, as soon thereafter as may be convenient, choose out

of their number one person to be president, and one to be treasurer of the corporation.

SEC. 5. That the subscription of stock, made according to the provisions of this act, shall be paid in installments of five dollars on each share, and at such time or times as the directors shall direct, by their giving twenty days notice of the time and place of payment; and said directors are authorized to take bonds or notes for the amount of stock remaining unpaid.

SEC. 6. That if said railroad company shall not be organized within five years from the date of the passage of this law, and not completed within ten years from the commencement of the work, then this act shall be null and void.

SEC. 7. That the directors shall have power to determine the number and kind of tracks, turnouts, branches, carriages, conveyances, storehouses, depots and other fixtures and machinery, prescribe the mode of transportation, and have power to construct a single or double track railroad.

SEC. 8. That said company shall have a right to enter upon any lands, to survey and lay down said road, and to take any materials except timber, upon the conditions hereafter specified, necessary for the construction and repair of said work; and whenever any lands or material shall be taken for the construction of said work, and the same shall not be given or granted to said company, and the owners thereof do not agree with said company as to the compensation to be paid therefor, or in case the owner or owners are under any disability to contract, or are absent from the state, application may be made by the said company to any judge of the court of common pleas of the county in which such lands or materials may be; and thereupon it shall be the duty of the said judge to issue his warrant to the sheriff of such county, commanding him to summon three disinterested freeholders to arbitrate upon the compensation to be awarded to such person or persons, who shall be sworn and paid as in other cases; and they, or a majority of them, shall award as arbitrators between the parties, and render copies of their award to each of the parties, in writing, from which award either party may appeal to the court of common pleas for the county in which such land or materials may have been situated; and in all cases where compensation shall in any manner be claimed, it shall be the duty of arbitrators and the court to estimate and set off any advantage which the location and construction of said road may be to the claimant; and said company shall have the right to retain, own, hold and possess said materials, upon first paying or tendering to the owner or owners thereof a reasonable compensation in money for the same, and to the use and occupation of said lands, as fully and absolutely as if the same had been granted and conveyed to said company by deed: Provided, that before the said company shall enter upon any land for the purpose of constructing the said road, they shall pay or secure to the owner of such land, payment for the same, as may be awarded by the provisions of this section.

SEC. 9. That if it shall be necessary in the selection of the route, or construction of the road, to connect the same with, or to use any road, street or bridge, made or erected by any company or persons incorporated or authorized by any law of this state, or of the state of Pennsylvania, it shall be lawful for the said company, and it is hereby authorized to contract and agree with any such other corporation or persons, for the right to use

such road, street or bridge, or for the transfer of any of the corporate or other rights or privileges of such corporation or persons to the said president and directors of this corporation; and all such other corporations and persons incorporated by or acting under the laws of this state, are hereby authorized to make such agreement, contract, or transfer, by and through the agency of their corporate officers, or by such persons as by any law of this state, or of the state of Pennsylvania, are entrusted with the direction and management of such road or street or bridge; and every contract or transfer made in pursuance of the authority hereby granted, when executed by the several parties under their respective corporate seals, or otherwise legally authenticated, shall vest in the corporation all the rights and privileges vested in said corporation or persons as shall be specified in the contract and agreement above referred to.

SEC. 10. Whenever it shall be necessary for the construction of the railroad, to intersect or cross any stream of water, or water course, or any railroad or highway lying in or across the route of said road, it shall be lawful for the corporation to construct the railway across upon the same; but the corporation shall restore the stream or water course, road or highway thus intersected, to its former state, or place it in such condition as not to impair its former usefulness.

SEC. 11. That said corporation may demand and receive, from all persons traveling upon said road, not to exceed four cents per mile, and for the transportation of property, not exceeding six cents per ton, per mile, which rates they shall have posted up in some public place at each of the depots.

SEC. 12. That at the regular annual meeting of the stockholders of said company, it shall be the duty of the president and directors in office for the previous year, to exhibit a clear and distinct statement of the affairs of the company; and the president and directors shall, annually or semi-annually, declare and make a true dividend of the net profits arising from the revenues of the company, deducting the necessary current and probable contingent expenses, and that they shall divide the same among the stockholders of said company, in proportion to their respective shares.

SEC. 13. That every president, director, treasurer, and secretary of said company, before he acts as such, shall swear or affirm, as the case may be, that he will well and truly discharge the duties of his said office to the best of his skill and judgment; and the arbitrators authorized by the eighth section of this act, before they proceed to estimate damages, shall, severally, take an oath or affirmation, impartially and honestly to discharge their duty; and said appraisers shall, severally, receive for their services, one dollar per day for every day they may necessarily be employed, which shall be paid by said corporation.

SEC. 14. The said president and directors, or a majority of them, may appoint all such officers, engineers, agents or servants, whatsoever, as they may deem necessary for the transaction of the business of the company, and may remove any of them at their pleasure; that they, or a majority of them, shall have power to determine, by contract, the compensation of the engineers, officers, agents or servants in the employ of said company, and to determine, by their bylaws, the manner of adjusting and settling all accounts against the said company, and also the manner of evidence of

transfer of stock in said company; and they, or a majority of them, shall have power to pass bylaws which they may deem necessary or proper for exercising all the powers vested in the company hereby incorporated, and for carrying the objects of this act into effect: Provided, only, that such bylaws shall not be contrary to the laws of this state, or of the United States.

SEC. 15. That if any person shall willfully, by any means whatsoever, injure, impair, or destroy any part of said railroad, constructed by said company under this act, or any of the necessary works, buildings, cars, or machinery of the said company, such person or persons so offending shall, each of them, for every such offence, forfeit and pay to said company, twofold the damages, which may be recovered in the name of said company, by an action of debt, with costs of suit, in any court having cognizance thereof; and shall also be subject to an indictment in the court of common pleas of the county where such offence may be committed, and, upon conviction of such offence, shall be punished by fine not exceeding five hundred dollars, and imprisonment in the jail of said county not exceeding ten days.

SEC. 16. That the company may, and they are hereby authorized to commence, complete, and put in operation any part of said railroad, and that the said company may demand and receive the same rate of toll and transportation, and all the benefits that would accrue to such division so commenced and completed, as fully as if the entire work was commenced, completed and put in operation as aforesaid.

SEC. 17. If the installments remain unpaid for sixty days after the time of payment has elapsed, the directors, in the name of the company, may collect the same by suit, or may sell the stock at public auction, for the installments then due, giving twenty days' notice of the time and place of sale, by advertisement in some newspaper of general circulation in the county where such sale is to be made, and the residue of the money arising from such sale, after paying such installments and costs, shall be paid over to the former owner.

SEC. 18. That it shall be the duty of the directors to keep open books of subscription, at the office of the company, until the number of shares authorized by this act shall be subscribed.

SEC. 19. That said company shall not contract debts or liabilities to a greater amount than the stock subscribed and held by responsible stockholders, remaining unexpended, together with the means on hand, and that which may be reasonably expected to accrue within three years of the time of making such contract, unless at the time of making such contract, the party contracting with said company be informed of such want of means on the part of said company, and by agreement, in writing, specify the time and manner in which such debt shall be paid.

SEC. 20. The governor shall have the power to prescribe what price may be charged by said company for the transportation of the mails of the United States, and of the troops and munitions of war belonging to this state and the United States, should the board of public works at any time entertain the opinion that the prices charged therefor, by such company, are unreasonably high; but such power shall not extend so far as to control

the time or times of the arrival and departure of the cars on said road, or in any other manner interfere with the regulations of said company.

SEC. 21. At any time after the expiration of ten years from the time said road shall be put in operation, it shall be lawful for the general assembly to prescribe the rates to be charged for the transportation of persons or property upon said road, should they be deemed too high, and may exercise the same power every ten years thereafter.

WILLIAM P. CUTLER,  
*Speaker of the House of Representatives.*  
EDSON B. OLDS,  
*Speaker of the Senate.*

February 8, 1847.

---

#### AN ACT

For the support and better regulation of Common Schools, in the town of Akron.

SEC. 1. *Be it enacted by the General Assembly of the State of Ohio,* That the electors in the town of Akron, in the county of Summit, qualified to vote for members of the town council, shall, at the time and place of holding the annual election for said members of the town council, in the year one thousand eight hundred forty-seven, meet and elect six directors of the common schools for said town of Akron; two of whom shall serve for one year, two for two years, and two for three years; the order of seniority to be determined, by lot, by such directors, after the election, and annually thereafter, at the time and place above specified, there shall, in like manner, be two directors elected, who shall serve for three years, and until their successors are elected and qualified. All vacancies which may occur, shall be filled by the town council.

SEC. 2. The said directors, within ten days after their first appointment as aforesaid, shall meet and organize by choosing from their number a president, secretary and treasurer; and such treasurer, before he enters on the duties of his said office, shall give bond and security, to be approved by the town council, and filed in the office of the mayor of said town, conditioned for the faithful disbursement of all moneys that shall come into his hands as such treasurer, which bond shall be made payable to the State of Ohio; and when such bond shall be forfeited, it shall be the duty of the town council to sue and collect the same, for the use of the common schools in said town; and the said directors, so organized and qualified, and their successors in office, shall be a body politic and corporate in law, by the name of "the Board of Education of the town of Akron," and as such, and by such name, shall be authorized to receive all moneys accruing to said town or any part thereof, for the use and benefit of the common schools in said town; and the said board shall be capable of contracting and being contracted with, suing and being sued, pleading and being impleaded, in any court of law or equity in this State; and shall also, be capable of receiving any gift, grant, donation or devise, made for the use of the common schools in said town; and said board, by resolution, shall direct the payment of all moneys that shall

come into the hands of said treasurer; and no money shall be paid out of the treasury, except in pursuance of such resolution, and on the written order of the president, countersigned by the secretary.

SEC. 3. That said board shall hold their meetings at such time and place as they may think proper; that any four of said board shall constitute a quorum; that special meetings may be called by the president or by any two members of the board, on giving two days' notice of the time and place of holding such meetings; but at no special meeting, except all the directors be present, shall any resolution in relation to sites for school houses, or financial resolution or order be passed, unless the two days' notice as aforesaid be given, and the subject or subjects to be acted on, be specified in the notice, and a quorum of at least four members be present.

SEC. 4. That said board of education shall have the entire management and control of all the common schools in said town of Akron, and of all the houses, lands, and appurtenances already provided and set apart for common school purposes, as well as those hereafter to be provided for the same purposes; and the said town of Akron, from and after the first Tuesday in June next, after the passage of this act, shall constitute, in law, but one school district; and all moneys accruing to said district for school purposes under any law of the State, shall be paid over to the treasurer of said board of education.

SEC. 5. It shall be the duty of said board of education, so soon as they may realize sufficient funds for the purpose, to establish within the bounds of the town corporate of Akron, six or more primary schools, to be located in different parts of the town, so as best to accommodate the inhabitants, in which the rudiments of an English education shall be taught. It shall be the further duty of said board to establish a central grammar school in said town, where instruction shall be given in "the various studies and parts of study" not provided for in the primary school, and yet requisite to a respectable English education. To each school in this system there shall be gratuitous admission for the children, wards and apprentices of all residents of the town corporate of Akron, and of such other persons in the immediate vicinity as may own property charged with a school tax in said town corporate of Akron, with the following restrictions, viz: No pupil shall be admitted to the grammar school, who fails to sustain a thorough examination in the studies of the primary school; and the teacher shall have power in either school, with the advice and direction of the board of education, to exclude for misconduct, in extreme cases, and to classify the pupils as the best good of the school shall seem to require: Provided, however, that said board of education shall not make any rules which will exclude from said primary schools any scholar, who by the general laws of this State would be entitled to admission into the common schools, within said town, and said board shall not so appropriate the school fund, which by the provisions of this act shall come under their control, as to reduce the amount applicable to the support of said primary schools, below the sum to which under the general laws of this State, the common schools within said town would be entitled.

SEC. 6. The said board of education shall have power to make and enforce all necessary rules and regulations for the government of teachers and pupils in said schools, to employ teachers, male and female, and pay them a suitable compensation, to purchase all necessary books and appa-

tus, to select sites for school houses, and superintend the building of the same upon their own plan, and to pay for the lands, and houses and furniture, as well as other expenses of said school system, from the public moneys in the hands of the treasurer.

SEC. 7. The said board of education, within thirty days after their organization, shall report to the town council of Akron the number and description of buildings necessary for the purposes of the common schools in said town, which report shall be in writing, and shall specify the amount of money necessary to be raised to meet the expense of erecting such buildings; and said board shall also specify, in said report, the amount of money necessary to be raised in addition to the money accruing to said town under the general school laws of the state, to defray all the other expenses of said school system during the current year; and thereupon the said town council shall proceed to levy a tax sufficient to meet such expenses of buildings and repairing school houses, and the expenses attendant upon the maintenance of said free schools in Akron during the whole year, customary vacations only excepted; said tax to be levied and collected as other taxes of said town are or may be collected. And it shall be the duty of said board, on or before the first Monday in April, in every year thereafter, to make report, in writing, to the town council, of all moneys received, how and for what purpose expended, with the proper vouchers, and such other information in relation to said schools as they may deem important, specifying in said annual report the amount of money necessary to be raised by taxation to defray the expenses of said school system for the current year; and said town council shall, annually, upon the coming in of such report, and within thirty days thereafter, proceed to levy a tax sufficient to meet such expenses, to be levied and collected as other taxes of said town. And the town council shall cause all such reports of the board of education to be published, or so much thereof as they may deem necessary, the reports themselves being left with the mayor of the town, open to public inspection.

SEC. 8. All legal titles to lands and houses, and other property used for common school purposes in said town of Akron, shall vest in the town council of Akron at the taking effect of this act, and all titles acquired thereafter shall be in the name of said town council; and said town council shall have power to sell, lease, and convey any and all of the lands and tenements held under and by virtue of this act, and to purchase other lands and tenements in more eligible positions, by and with the advice of said board of education, but not otherwise.

SEC. 9. The town council shall, immediately after the appointment of directors, as hereinbefore provided, appoint three competent persons, to serve as school examiners of said town, all of whom shall be citizens of Akron; one to serve till the first Tuesday in June, one thousand eight hundred and forty-eight; one till the first Tuesday in June, one thousand eight hundred and forty-nine, and one till the first Tuesday in June, one thousand eight hundred and fifty, and till their successors are qualified; and annually, at the first regular meeting of the town council, after the annual election for members of that body, they shall appoint one person for examiner, to serve for three years, and till his successor is qualified; and the council shall fill all vacancies that may occur by death, removal, or

otherwise. The examiners, or any two of them, shall examine such persons as may apply for that purpose; and if they find the applicant qualified, they shall give him a certificate, naming the branches he is found qualified to teach, that they have carefully inquired into his character, and believe it to be moral and good, and that they believe him well qualified to govern and teach; they shall, also, in every case where two of their number concur, have power to annul any certificate previously given, and the person holding the same shall be discharged from the public schools in said town; they shall also, separately or otherwise, together with such other persons as may be appointed by the mayor, visit said schools at least as often as once in every quarter, observe the discipline, mode of instruction, progress of the scholars, and such other circumstances as they may deem of interest; and, semi-annually, at such times as the board of education shall [appoint,] they shall report their proceedings to the town council, and also to the board of education, with such suggestions as they may think proper, the publication of which shall be in the discretion of the town council.

SEC. 10. Annually, at such time as the board shall appoint, public examinations of all the schools shall be had under the direction of the mayor, council, the board of education, and the examiners.

SEC. 11. So much of the general school law, and so much of any and all other laws of this state, general or local, as may be inconsistent with this act, or any of its provisions, is hereby repealed as to said town of Akron.

SEC. 12. The power conferred upon the board of education of the town of Akron, in the fifth section of this act, is hereby conferred upon the managers of the common schools of the city of Dayton.

SEC. 13. Any future legislature may alter, amend, or repeal this act.

WILLIAM P. CUTLER,  
*Speaker of the House of Representatives.*  
EDSON B. OLDS,  
*Speaker of the Senate.*

February 8, 1847.

#### AN ACT

To authorize the Town Council of the town of Defiance to levy a tax for bridge purposes.

SEC. 1. *Be it enacted by the General Assembly of the State of Ohio,* That the town council are hereby authorized to levy, for the year one thousand eight hundred and forty-seven, a tax on the taxable property of said town, not exceeding ten mills on the dollar, which shall be collected in the manner other town taxes are collected, and appropriated to building a bridge across the Maumee river, in said town, in connection with the board of public works of this state.

WILLIAM P. CUTLER,  
*Speaker of the House of Representatives.*  
EDSON B. OLDS,  
*Speaker of the Senate.*

February 8, 1847.



## AN ACT

To provide for the revaluation and sale of a certain tract of School land in Stark county.

**SEC. 1.** *Be it enacted by the General Assembly of the State of Ohio,* That it shall be the duty of the county commissioners of Stark county, at their next session, in June, or at any session thereafter, upon the application of the legal holders of the permanent lease for the southeast quarter of section sixteen, of township ten, of range eight, in said county, to appoint three disinterested freeholders of said county, not resident in said township, who shall under oath appraise said quarter section at its true value, without including any improvements thereon, and make a statement of the value of the east half and the west half of said quarter section, separately to the county auditor, who shall preserve the same in his office, and make a true copy thereof, and forward such copy to the auditor of State; and when said quarter section shall have been so valued, the legal holders of the permanent lease may for the same or any part thereof, may surrender the same and receive a certificate of purchase, at the valuation so made, and obtain the fee in and to said premises.

WILLIAM P. CUTLER,  
*Speaker of the House of Representatives.*  
EDSON B. OLDS,  
*Speaker of the Senate.*

February 8, 1847.

## AN ACT

For the relief of Robert Young and Demas Adams, Jr.

**SEC. 1.** *Be it enacted by the General Assembly of the State of Ohio,* That the Board of Public Works be and they are hereby authorized to examine the claim for relief of Robert Young and Demas Adams, Jr. as sureties of Robert Larimore, in a certain cause appealed from the Miami common pleas to the supreme court, wherein Robert Johnston was plaintiff and the said Larimore was defendant; and that said board are hereby fully authorized to pay such part thereof as they may ascertain to be a just claim against the State, and the said board shall report to the next Legislature a full statement of the nature of such claim and the grounds upon which the whole or any part thereof is allowed.

WILLIAM P. CUTLER,  
*Speaker of the House of Representatives.*  
EDSON B. OLDS,  
*Speaker of the Senate.*

February 8, 1847.

## AN ACT

To extend the time of payment to purchasers of school section number sixteen, in Farmer township, Defiance county.

SEC. 1. *Be it enacted by the General Assembly of the State of Ohio,* That a further period of five years from the day on which the respective contracts may fall due, is hereby given to the purchasers of school section sixteen, in Farmer township, Defiance county, for the payment of the principal of such purchase: Provided, the interest shall be punctually paid in the manner pointed out in the act authorizing the sale of said section.

WILLIAM P. CUTLER,  
*Speaker of the House of Representatives.*  
EDSON B. OLDS,  
*Speaker of the Senate.*

February 8, 1847.

## AN ACT

To dispose of two escheated lots in the town of Mansfield, Richland county.

WHEREAS, Frederick Hable, of the town of Mansfield, Richland county, who died some years ago intestate without heirs at law, left some property, real and personal, which he had accumulated by his industry in said town, and which in his lifetime he expressed his intention to leave to said town for the purposes of education, and which there is reason to presume he was prevented from doing by his sudden death —

SEC. 1. *Be it enacted by the General Assembly of the State of Ohio,* That the real estate left by said Frederick Hable, in the town of Mansfield, Richland county, which has escheated to the State, consisting of inlots in said town, numbers (38) thirty-eight and (49) forty-nine, be and the same is hereby authorized and required to be sold by some suitable person to be appointed by the Governor, and upon such terms of payment as the Governor may deem most suitable and proper, and that the proceeds of said sale be appropriated and applied exclusively to the purposes of an academy, under the direction of the mayor and town council of the said town of Mansfield.

SEC. 2. Upon the sale of said lots, the purchaser of each of said lots shall be entitled to a certificate of purchase from the Governor, and upon full payment of the purchase money for said lots, or either of them, the Governor shall make, execute and deliver to the purchaser a deed fully conveying all the right, title and interest of the state in and to the said real estate to said purchaser.

WILLIAM P. CUTLER,  
*Speaker of the House of Representatives.*  
EDSON B. OLDS,  
*Speaker of the Senate.*

February 8, 1847. -

## AN ACT

To incorporate the Western Miami Valley Turnpike Road Company.

**SEC. 1.** *Be it enacted by the General Assembly of the State of Ohio,* That Isaac Overpack, Robert Busenbach, John C. Buche, Jacob Boke, and Middleton Selva, of the county of Butler, and their associates, be and they are hereby created a body corporate, under the name of the Western Miami Valley Turnpike Road Company, for the purpose of constructing a turnpike road from West Liberty, down the western side of the Great Miami river, to intersect the Hamilton, Rossville, Somerville, Newcomb, and Eaton Turnpike Road, at or near the point where the present traveled road intersects the same; which company shall have all the rights, privileges and powers, and be subject to all the restrictions, defined in the act to provide for the regulation of turnpike companies, passed January seventh, one thousand eight hundred and seventeen, and the several acts amendatory thereto, except in so far as the same may be modified or changed by the special provisions of this act.

**SEC. 2.** That the capital stock of said company may be twenty thousand dollars, divided into shares of twenty-five dollars each.

WILLIAM P. CUTLER,  
*Speaker of the House of Representatives.*  
EDSON B. OLDS,  
*Speaker of the Senate.*

February 6, 1847.

## AN ACT

To authorize the City Council of Cincinnati to levy taxes for school purposes.

**SEC. 1.** *Be it enacted by the General Assembly of the State of Ohio,* That the city council of the city of Cincinnati shall, on or before the fifteenth day of June, annually, determine and notify the auditor of Hamilton county of the amount necessary to be raised in said city, for the various purposes for which said city council is now, by law, authorized to levy taxes, not exceeding, for either aforesaid purposes, five per cent. the maximum amounts heretofore raised for the same; and the county auditor shall, when notified of such amount, as determined in pursuance of the first and second sections of this act, proceed, as directed to do, in similar cases, by section fifty-two of the act entitled "an act for levying taxes on all property in this state according to its true value," passed March two, one thousand eight hundred and forty-six.

**SEC. 2.** That the amount necessary for school purposes shall be determined by said city council, upon the recommendation of the board of school trustees of said city, not exceeding one and one-half of a mill on the dollar of taxable property in said city.

**Sec. 3.** That the power to assess two mills on the dollar of taxable property in said city for school purposes, now in the auditor of Hamilton county, is hereby repealed, and that no other taxes shall be assessed on the grand levy, for school purposes, in said city of Cincinnati, except such as mentioned in the second section of this act: Provided, that nothing herein contained shall be so construed as to take away from the school fund of said city any additional revenues to which the same is now lawfully entitled, aside from the grand levy on the taxable property in said city; and provided further, that nothing herein contained shall interfere with the general laws of this state providing for levying a state tax for the general school fund.

**Sec. 4.** That all laws and parts of laws conflicting herewith, are hereby repealed.

**WILLIAM P. CUTLER,**

*Speaker of the House of Representatives.*

**EDSON B. OLDS,**

*Speaker of the Senate.*

**February 6, 1847.**

# RESOLUTIONS.

## JOINT RESOLUTION

Relative to printing extra copies of the Report of the officers of the Lunatic Asylum.

*Resolved, by the Senate and House of Representatives, That five thousand extra copies of the report of the officers of the State Lunatic Asylum be printed in the English language, and two thousand in the German language, for the use of the members; and nine hundred additional copies in the English language, and one hundred in the German language, shall be printed and placed at the disposal of the officers of said asylum.*

**WILLIAM P. CUTLER,**

*Speaker of the House of Representatives.*

**EDSON B. OLDS,**

*Speaker of the Senate.*

December 19, 1846.

## JOINT RESOLUTION

Relative to the postage of members and clerks.

*Resolved, by the Senate and House of Representatives of the State of Ohio, That the speakers of the two houses be and they hereby are authorized and required to audit and allow, for payment out of the state treasury, the postage accounts of the members and clerks of both houses of the present general assembly, on all letters and papers on public business by them received, and on all letters and papers, and on all public documents ordered by either or both houses to be printed, which members or the clerks may deem proper to frank: Provided, however, that this privilege shall not extend to documents or packages exceeding six ounces in weight.*

**WILLIAM P. CUTLER,**

*Speaker of the House of Representatives.*

**EDSON B. OLDS,**

*Speaker of the Senate.*

December 19, 1846.

## JOINT RESOLUTION

Relative to appointing a joint select committee to fix the times of holding the Supreme Court.

*Resolved, by the Senate and House of Representatives, That a joint select committee, consisting of eight members on the part of the House and five on the part of the Senate, be appointed to fix the times of holding the supreme court for the ensuing year.*

WILLIAM P. CUTLER,  
*Speaker of the House of Representatives.*  
EDSON B. OLDS,  
*Speaker of the Senate.*

December 19, 1846.

## JOINT RESOLUTION

Relative to printing the Report of the Directors and Superintendent of the Institution for the Deaf and Dumb.

*Resolved, by the General Assembly of the State of Ohio, That five thousand copies of the report of the Directors and Superintendent of the Institution for the Deaf and Dumb, be printed in the English language, and two thousand copies in the German language, for the use of the members of this General Assembly; and that one thousand in the English language, and one hundred in the German language, additional copies, be printed for the use of the officers of the Institution.*

WILLIAM P. CUTLER,  
*Speaker of the House of Representatives.*  
EDSON B. OLDS,  
*Speaker of the Senate.*

January 6, 1847.

## JOINT RESOLUTION

Calling upon the Warden and Directors of the Ohio Penitentiary for certain information.

*Resolved, by the General Assembly of the State of Ohio, That the Warden and Directors of the Ohio Penitentiary be directed to forthwith report to the General Assembly, the names of each and every person employed, as officers or assistants in the Ohio Penitentiary; the nature of the services at which such officers or assistants are employed; the amount of salary paid to each and every such officer or assistant, and the amount paid to each and every such officer or assistant during the present year.*

WILLIAM P. CUTLER,  
*Speaker of the House of Representatives.*  
EDSON B. OLDS,  
*Speaker of the Senate.*

January 11, 1847.

## JOINT RESOLUTION

Calling on the Board of Public Works for certain information.

*Resolved, by the General Assembly of the State of Ohio,* That the Board of Public Works be and are hereby required to report, with as little delay as possible, to this body, any and all action had by them, or their agent, under the resolution passed by the General Assembly, February twenty-six, one thousand eight hundred and forty-six, relative to the Zanesville and Maysville Turnpike Company, and other companies in which the State holds stock.

WILLIAM P. CUTLER,  
*Speaker of the House of Representatives.*  
EDSON B. OLDS,  
*Speaker of the Senate.*

January 11, 1847.

## JOINT RESOLUTION

Relative to the late General Hamer.

**WHEREAS**, the mournful intelligence has reached us that General Thomas L. Hamer, the accomplished civilian and devoted patriot, is no more —

*Resolved, by the General Assembly of the State of Ohio,* That in the death of General Hamer, our State has lost a favorite son, the United States a useful citizen and officer, and mankind at large a benefactor; therefore,

*Resolved,* That the members of this General Assembly deeply sympathize with the bereaved widow and children of the deceased in their grievous affliction.

*Resolved,* That the Speakers of the two Houses procure a suitable person to pronounce a eulogy upon the life and character and public services of the deceased, before the members of this General Assembly, and the citizens generally, at some convenient season, to be fixed by themselves.

*Resolved,* That the body of the deceased be brought from Mexico, and interred in the soil of Ohio, at the expense of the State.

*Resolved* That the Speakers of both Houses of the General Assembly, jointly, send a copy of these resolutions to the widow and family of the deceased, accompanied with a letter of condolence; and that they inform them of the time the eulogy will be pronounced.

*Resolved,* That as a further token of the highest respect for the memory of the deceased, both Houses do now adjourn until Saturday morning, at 10 o'clock.

WILLIAM P. CUTLER,  
*Speaker of the House of Representatives.*  
EDSON B. OLDS,  
*Speaker of the Senate.*

January 11, 1847.

## RESOLUTION

Relative to printing extra copies of the report of the Special Commissioners to investigate claims on the National Road.

*Resolved by the Senate and House of Representatives, That one thousand extra copies of the report of the special commissioners appointed to investigate certain claims on the National Road, be printed for the use of the two houses.*

WILLIAM P. CUTLER,  
*Speaker of the House of Representatives.*  
EDSON B. OLDS,  
*Speaker of the Senate.*

January 14, 1847.

## RESOLUTION

Relative to furnishing members copies of Standing and Joint Rules.

*Resolved by the Senate and House of Representatives, That the rules in force for the government of the Senate and House of Representatives, respectively, and the joint rules in force for the government of both houses, be printed and stitched in paper covers for the use of the members.*

WILLIAM P. CUTLER,  
*Speaker of the House of Representatives.*  
EDSON B. OLDS,  
*Speaker of the Senate.*

January 14, 1847.

## RESOLUTION

Relative to the claim of J. D. Osborn & Co.

*Resolved by the General Assembly of the State of Ohio, That there shall be allowed to J. D. Osborn & Co., the sum of thirty-seven dollars and ninety cents, to be paid out of any moneys in the treasury not otherwise appropriated, to be provided for in the appropriation bill.*

WILLIAM P. CUTLER,  
*Speaker of the House of Representatives.*  
EDSON B. OLDS,  
*Speaker of the Senate.*

January 14, 1847.



## RESOLUTION

Relative to printing act concerning Superior Court of Cincinnati.

*Resolved by the General Assembly of the State of Ohio, That the secretary of state cause to be printed with the general laws of the present session, an act passed March second, one thousand eight hundred and forty-six, entitled "an act concerning the superior court of Cincinnati."*

WILLIAM P. CUTLER,  
*Speaker of the House of Representatives.*  
EDSON B. OLDS,  
*Speaker of the Senate.*

January 14, 1847.

## RESOLUTION

Relative to printing the report of the officers of the Institution for the Blind.

*Resolved, by the Senate and House of Representatives of the State of Ohio, That sixteen hundred and sixty-seven copies of the annual report of the officers of the Institution for the Blind be printed in the English language, and six hundred and sixty-six copies in the German language, for the use of the Senate, and four thousand one hundred copies in the English language, and five hundred sixty-seven copies in the German language, for the use of the House; also, nine hundred copies in the English language, and one hundred copies in the German language, for the use of the officers of said Institution.*

WILLIAM P. CUTLER,  
*Speaker of the House of Representatives.*  
EDSON B. OLDS,  
*Speaker of the Senate.*

January 14, 1847.

## RESOLUTION

Relative to appointing a committee to examine the books of Auditor and Treasurer of State.

*Resolved, by the General Assembly of the State of Ohio, That Thomas Sparrow, Sylvester Medbury and Charles H. Wing be appointed a committee to examine the books and accounts of the treasurer and auditor of state; and also, to inquire into his acts, as treasurer, in relation to the funds of the state, in order to ascertain whether any improper use has been made by the treasurer of the surplus revenue fund, in the way of premiums, exchanges or otherwise, for the individual benefit of the treasurer; and whether at the time of the alleged inability of the state to pay the checks of the canal commissioners, or at any other time, the treasurer of state did not use other funds in the treasury for the purpose of purchasing such checks at a discount for his individual benefit; and if in case of a conse-*

quent deficiency in any such funds, when required to be used, he was not in the practice of borrowing from the Clinton Bank of Columbus or other banking institutions or individuals, and in return at other times loaning temporarily the moneys of the State to such institutions or individuals; and whether in making investments of any of the funds of the State, by the purchase of bonds or otherwise, the said investments were not made at a time prior to that stated by the treasurer, whereby the interest on such bonds or investments, for such difference in time, was received by the Treasurer for his individual use; and whether the said treasurer has not paid at the State treasury canal checks not signed by the commissioners, or if signed by the commissioners, not indorsed or registered by the engineers, or other proper officers; and whether greater amounts have not been paid on commissioners' checks than were certified to be due by the resident engineers; and whether there has been any collusion or arrangement between the said treasurer and the banking institutions of the state or individuals, whereby the funds of the state have been kept or used by them for the benefit or profit of the said treasurer, or of said banking institutions or individuals, and to examine into all other matters and accounts tending to show any violation of law, or any improper use or management of the funds of the state; and that said committee have power to send for persons and papers, and to examine such persons under oath in regard to his or their knowledge of the transactions of said treasurer in this respect, and that said committee report to the Legislature with all convenient dispatch.

WILLIAM P. CUTLER,  
*Speaker of the House of Representatives.*  
 EDSON B. OLDS,  
*Speaker of the Senate.*

January 14, 1847.

#### JOINT RESOLUTION

Authorizing the State Librarian to collect natural or artificial curiosities within the State of Ohio

*Be it resolved by the General Assembly of the State of Ohio,* That the commissioners of the library are hereby authorized to collect and receive such natural and artificial curiosities, as can be obtained without other expense than that of transportation, and which they may deem worthy of preservation in the State Library, and may appropriate for their reception and safe keeping, such part of the rooms used for the State Library, as is not necessary to be occupied by the books of said library, and the librarian shall exercise the same care and authority over said curiosities as he is by law required to exercise over the books of said library. And be it further resolved, that the said commissioners of the library are authorized to expend out of any funds, appropriated for the State Library, such amounts as may be necessary to secure the transportation of such curiosities, as may be obtained pursuant to the foregoing resolution: Provided, that the amount so expended shall not exceed one hundred dollars in any one year.

WILLIAM P. CUTLER,  
*Speaker of the House of Representatives.*  
 EDSON B. OLDS,  
*Speaker of the Senate.*

January 14, 1847.

## JOINT RESOLUTION

Appointing commissioners to remove the remains of General Hamer from Mexico.

*Resolved, by the General Assembly of the State of Ohio,* That Col. John Allen, of Brown county, and Doctor James C. Kennedy, of Clermont county, and James H. Thompson, of Highland county, be and they are hereby constituted commissioners to carry into effect the joint resolution of the General Assembly, passed December thirty-first, one thousand eight hundred and forty-six, requiring the remains of General Thomas L. Hamer to be brought from Mexico at the expense of the state, to be interred in the soil of Ohio; and that said commissioners have power to draw upon the auditor of state for the money necessary to effect the object of said resolution; and further, that on their return they shall file with the auditor of state the accounts and vouchers for their expenditures in performing the commission.

WILLIAM P. CUTLER,  
*Speaker of the House of Representatives.*  
EDSON B. OLDS,  
*Speaker of the Senate.*

January 20, 1847.

## JOINT RESOLUTION

Relative to furnishing the auditor of Sandusky county with certain copies of the school laws.

*Resolved, by the General Assembly of the State of Ohio,* That the secretary of state is hereby instructed to furnish the auditor of Sandusky county twenty-five copies of the school laws of said state.

WILLIAM P. CUTLER,  
*Speaker of the House of Representatives.*  
EDSON B. OLDS,  
*Speaker of the Senate.*

January 20, 1847.

## PREAMBLE AND JOINT RESOLUTION

Relative to admitting a certain lunatic into the Lunatic Asylum.

**WHEREAS**, a certain man whose residence and name is unknown, was found wandering in the streets of the city of Dayton, in the county of Montgomery, about the middle of October last, in a state of raving madness, and as a place of security was confined in the county prison, where he still remains; and whereas, said prison is wholly unsuited to his condition; therefore,

*Resolved, by the General Assembly of the State of Ohio, That the Superintendent of the Lunatic Asylum be and hereby is directed to receive and consider an application for the admission of the above named individual into the asylum under his charge, and to act in the premises the same as if said individual were known to be a citizen of the state of Ohio: Provided, that said person shall be received as a pay patient, and the expense incurred in his support in said asylum, during his continuance therein, shall be paid by the commissioners of the county of Montgomery, in the same manner as the expenses of other pay patients are paid; and said person, when received, shall be counted in the apportionment of patients among the counties, as if he were known to be a citizen resident of the county of Montgomery; and provided, further, that should there at any time occur a want of room in said asylum for the reception of lunatics under the provisions of the laws regulating the same, then it shall be the duty of the officers of said asylum to discharge, and the duty of the commissioners of Montgomery county to receive and provide for said person.*

*Resolved, further, That the Superintendent of the Lunatic Asylum be and he is hereby directed to receive and consider the application on behalf of Josiah Littlefield, a lunatic whose legal residence is unknown, and who is now confined in the jail of the county of Champaign, for admission to said asylum, and to act in the premises the same as if said Littlefield were known to be a citizen of this state, subject, however, to the same provisions in regard to his reception and discharge, and in regard to his maintenance by the commissioners of the county of Champaign, as are above provided in the case of the lunatic now in the jail of Montgomery county.*

WILLIAM P. CUTLER,

*Speaker of the House of Representatives.*

EDSON B. OLDS,

*Speaker of the Senate.*

January 21, 1847.

#### RESOLUTION

Relative to claim of H. Hardy.

*Resolved. by the General Assembly of the State of Ohio, That there shall be allowed to H. Hardy the sum of thirteen dollars, for repairs on the state house, and that the same shall be provided for in the appropriation bill.*

WILLIAM P. CUTLER,

*Speaker of the House of Representatives.*

EDSON B. OLDS,

*Speaker of the Senate.*

January 21, 1847.

## RESOLUTION

Relative to claim of I. G. Dyer &amp; Co.

*Resolved, by the General Assembly of the State of Ohio, That there shall be paid to I. G. Dyer & Co. the sum of nineteen dollars, out of any moneys in the treasury not otherwise appropriated, to be provided for in the appropriation bill.*

WILLIAM P. CUTLER,  
*Speaker of the House of Representatives.*  
 EDSON B. OLDS,  
*Speaker of the Senate.*

January 23, 1847.

## JOINT RESOLUTION

Relative to printing extra copies of Annual Report of the Board of Public Works.

*Resolved, by the Senate and House of Representatives, That three thousand extra copies of the annual report of the board of public works be printed for the use of members of the general assembly, and three hundred additional copies for the use of the members of the said board.*

WILLIAM P. CUTLER,  
*Speaker of the House of Representatives.*  
 EDSON B. OLDS,  
*Speaker of the Senate.*

January 23, 1847.

## JOINT RESOLUTION

Allowing the claim of W. H. Protsman and Thomas F. Jones.

*Resolved, by the General Assembly of the State of Ohio, That the following sums be and the same hereby are allowed to the persons following: To W. H. Protsman, twenty-four dollars and twenty-five cents; to Thomas F. Jones, six dollars and seventy-five cents; and that the same be provided for in the general appropriation bill.*

WILLIAM P. CUTLER,  
*Speaker of the House of Representatives.*  
 EDSON B. OLDS,  
*Speaker of the Senate.*

January 23, 1847.

## JOINT RESOLUTION

Relative to the Charity School of Kendall, Stark county.

**WHEREAS**, on the twenty-ninth day of December, one thousand eight hundred and forty-five, the general assembly of the state of Ohio, by joint resolution, appointed Gilberthorpe Earl, Thomas Blackburn, William Dunbar, Arnold Lynch, and Arvine Wales, of Stark county, trustees of the charity school of Kendall, Stark county; and whereas, the said Thomas Blackburn and William Dunbar have since resigned their said office of trustees, as aforesaid; and whereas, by virtue of said resolution, doubts have arisen as to when the term of service of the said Gilberthorpe Earl, Arnold Lynch and Arvine Wales, will expire: therefore, be it

*Resolved, by the General Assembly of the State of Ohio*, That it is hereby declared to be the true intent and meaning of the said resolution, that the term of service of the said Gilberthorpe Earl, Arnold Lynch and Arvine Wales, trustees as aforesaid, will expire on the twenty-fourth day of January, one thousand eight hundred and fifty.

*Be it further resolved*, That William Bowen and Samuel Pease, of Massillon, Stark county, be and they are hereby appointed trustees of the charity school of Kendall, Stark county, in place of Thomas Blackburn and William Dunbar, resigned; to hold their offices for the term of four years from and after the twenty-fourth day of January, one thousand eight hundred and forty-seven, and until their successors shall be appointed and give bond.

WILLIAM P. CUTLER,  
*Speaker of the House of Representatives.*  
EDSON B. OLDS,  
*Speaker of the Senate.*

January 23, 1847.

## RESOLUTION

Relative to printing and compiling Index to General Laws.

*Resolved, by the Senate and House of Representatives*, That the secretary of state cause to be compiled a well digested index, upon the plan of the index to Swan's Collated Statutes, to all the general laws passed since the session of 1840-41, including the general laws of the present session, and cause the requisite number to be printed and distributed with the general laws of this session.

WILLIAM P. CUTLER,  
*Speaker of the House of Representatives.*  
EDSON B. OLDS,  
*Speaker of the Senate.*

January 29, 1847.

## JOINT RESOLUTION

Authorizing William Barbee to construct a dam across the Miami river.

*Resolved, by the General Assembly of the State of Ohio, That William Barbee, his heirs and assigns, be and they are hereby authorized, under the conditions and provisions hereinafter expressed, to construct and keep up a dam across the Great Miami river, about three miles above the town of Troy, in Miami county, of sufficient height to convey the water of said river, by a feeder or race, into the Miami extension canal, immediately below the second lock above the town of Troy; thence, along said canal, to and within the corporate limits of said town of Troy, to a point a few rods above the culvert over the head race of Messrs. Culbertson and Company, at which point said Barbee, his heirs or assigns, is hereby authorized to draw from said canal and use for manufacturing purposes, such quantity of water as the board of public works may prescribe, not exceeding the quantity introduced by the said Barbee: Provided, that in the introduction of the water into the canal, and the discharge of the same from the canal, the said Barbee shall be subject to such rules, regulations and conditions as shall be prescribed by the board of public works, and the said Barbee shall not be permitted to introduce the water, as aforesaid, into the canal until he enters into an agreement with the board of public works, with regard to the manner of introducing and discharging the water, the method of gauging the water, or any other matter which may sufficiently secure the rights and interests of the state; and the board of public works is hereby authorized to carry the objects of this resolution into effect.*

WILLIAM P. CUTLER,

*Speaker of the House of Representatives.*

EDSON B. OLDS,

*Speaker of the Senate.*

January 29, 1847.

## RESOLUTION

Relative to Scippo Reservoir.

*Resolved, by the General Assembly of the State of Ohio, That the board of public works be and are hereby authorized to make such disposition of the Scippo reservoir as in their discretion they may deem proper: Provided, that in so doing they shall not increase the expense to the state provided for in the resolution passed March eleventh, one thousand eight hundred and forty-four, authorizing said board to create the said reservoir: Provided, also, that those individuals to whom was awarded damages under said resolution, be paid within ninety days from the passage of this resolution.*

WILLIAM P. CUTLER,

*Speaker of the House of Representatives.*

EDSON B. OLDS,

*Speaker of the Senate.*

January 29, 1847.

## JOINT RESOLUTION

Appointing the Governor, Auditor of State and Attorney General, Commissioners to investigate and determine the validity of all claims presented against the State for certain services.

*Resolved, by the General Assembly of the State of Ohio,* That the governor, auditor of state and attorney general, be and they are hereby constituted commissioners to investigate and determine the character and validity of any and all claims made against the state by citizens thereof, growing out of the requisition of the president of the United States upon the governor of Ohio for three regiments of volunteers, and the call of the governor for volunteers to meet that requisition, and that said commissioners are hereby empowered and required to determine whether such claims, or any part thereof, are just claims against the state of Ohio; and all such as shall be by them so adjudged to be just claims against the state, shall be audited by the auditor of state and paid out of any money appropriated by the present legislature for that purpose.

WILLIAM P. CUTLER,  
*Speaker of the House of Representatives.*  
EDSON B. OLDS,  
*Speaker of the Senate.*

January 29, 1847.

## JOINT RESOLUTION

Relative to certain claims.

*Resolved, by the General Assembly of the State of Ohio,* That there shall be paid to the following persons herein named, the several sums of money as follows: To Henry Mack, sixty-three dollars; to Gere, Abbot and company, five dollars and forty cents; to Gere, Abbott and company, fifty-four dollars and twelve cents; and that the same be provided for in the general appropriation bill.

WILLIAM P. CUTLER,  
*Speaker of the House of Representatives.*  
EDSON B. OLDS,  
*Speaker of the Senate.*

January 29, 1847.

## RESOLUTION

Relative to claim of George D. Leckey.

*Resolved, by the General Assembly of the State of Ohio,* That there be paid to George D. Leckey, the sum of eight hundred and fifty dollars, being the amount of an award made to said Leckey under the provisions



of a resolution of the general assembly of this state, passed February eleventh, one thousand eight hundred and forty-six, and for which award the said Leckey has received the check of Samuel Forrer, acting commissioner of the board of public works, on the treasurer of state, and that appropriation be made for said sum in the general appropriation bill.

WILLIAM P. CUTLER,

*Speaker of the House of Representatives.*

EDSON B. OLDS,

*Speaker of the Senate.*

February 1, 1847.

---

#### RESOLUTION

Relative to per diem allowance of Levi Cox.

*Resolved, by the General Assembly of the State of Ohio, That Levi Cox, Esq., be allowed the same per diem and mileage allowance as the sitting members of the legislature are entitled to by law, during the time he has attended in the prosecution of his contest for his seat as senator, and that the speaker of the senate be authorized to certify the same as for members of the senate.*

WILLIAM P. CUTLER,

*Speaker of the House of Representatives.*

EDSON B. OLDS,

*Speaker of the Senate.*

February 1, 1847.

---

#### JOINT RESOLUTION

Relative to printing extra copies of the Report of the Superintendent of Common Schools.

*Resolved, by the Senate and House of Representatives of the State of Ohio, That seven thousand extra copies of the report of the superintendent of common schools be printed for the use of the members of the general assembly, and five hundred additional copies for the use of the superintendent.*

WILLIAM P. CUTLER,

*Speaker of the House of Representatives.*

EDSON B. OLDS,

*Speaker of the Senate.*

February 1, 1847.

## JOINT RESOLUTION

Directing the Secretary of State to furnish copies of laws to certain superintendents.

*Resolved, by the General Assembly of the State of Ohio,* That the secretary of state be directed to deliver to the superintendent of the lunatic asylum, to the superintendent of the asylum for the deaf and dumb, and to the superintendent of the asylum for the blind, each, one copy of Swan's revised statutes; and that, at the end of each session of the general assembly, he be also directed to deliver to each of said superintendents one copy of the general and local laws of the state.

WILLIAM P. CUTLER,

*Speaker of the House of Representatives.*

EDSON B. OLDS,

*Speaker of the Senate.*

February 1, 1847.

## JOINT RESOLUTION

Relative to claim of I. N. Whiting, and others.

*Resolved, by the General Assembly of the State of Ohio,* That there be paid to I. N. Whiting and company the sum of thirty-eight dollars and eleven cents; to Thomas F. Jones, twenty-one dollars; to A. Sites, three dollars and forty-four cents; to T. P. Ellis, the sum of four dollars and fifty cents; to T. P. Ellis and company, one dollar and fifty-seven cents; to C. C. Rose, eight dollars and ninety-six cents; to W. A. McCoy and company, four dollars and eighty-three cents; to Pinney & Lamson, one dollar and thirteen cents; to M. Stanlay, eighty-eight cents, and that the same be provided for in the general appropriation bill.

WILLIAM P. CUTLER,

*Speaker of the House of Representatives.*

EDSON B. OLDS,

*Speaker of the Senate.*

February 3, 1847.

## JOINT RESOLUTION

Appointing trustees to the Medical College of Ohio.

*Resolved, by the General Assembly of the State of Ohio,* That David K. Este, Robert Buchanan, G. P. Torrence, John C. Wright, William Burke, George Luckey, Samuel Fosdick, William Mount and David T. Disney, of Cincinnati, and John Cotton, of Marietta, and Joseph Carter, of Urbana, be and they are hereby appointed trustees of the Medical College of Ohio, for the term of three years from and after the ninth day of March, one thousand eight hundred and forty-seven.

WILLIAM P. CUTLER,

*Speaker of the House of Representatives.*

EDSON B. OLDS,

*Speaker of the Senate.*

February 8, 1847.

## RESOLUTION

Relative to directing Attorney General to inquire into certain facts relative to Columbus and Sandusky Turnpike Company.

*Resolved, by the General Assembly of the State of Ohio, That the attorney general be and he is hereby directed to examine into the facts upon which the stockholders of the Columbus and Sandusky Turnpike Company claim relief from the state, and report his opinion thereupon, and the reasons for that opinion, to the General Assembly on the first Monday of December next.*

WILLIAM P. CUTLER,  
*Speaker of the House of Representatives*  
EDSON B. OLDS,  
*Speaker of the Senate.*

February 5, 1847.

## RESOLUTION

Relative to Benjamin F. Stickney.

**WHEREAS**, the General Assembly, by resolution dated the nineteenth February, one thousand eight hundred and forty-six, declared it was the duty of the state to provide for the payment of the liabilities incurred by Benjamin F. Stickney by reason of his having entered into certain recognizances in the territory of Michigan, in one thousand eight hundred and thirty-five; and whereas, it is alledged that suits are now pending in Lucas county, upon said recognizances, against the said Stickney; therefore,

*Resolved, by the General Assembly of the State of Ohio, That the attorney general be and he is hereby directed, upon the application of Benjamin F. Stickney, to defend any suits now pending, or which may be brought in any of the courts of this state, against said Stickney, founded upon any of the liabilities mentioned in the preamble of said resolution, and the state auditor is hereby directed to pay all such liabilities as the attorney general may certify ought to be paid by the state, whether the same be in judgment in the courts of this state or not.*

WILLIAM P. CUTLER,  
*Speaker of the House of Representatives.*  
EDSON B. OLDS,  
*Speaker of the Senate.*

February 5, 1847.

## JOINT RESOLUTION

Relative to furnishing the clerk of Wood county with certain laws.

*Resolved, by the General Assembly of the State of Ohio, That the secretary of state be required to furnish the clerk of Wood county (for the use of said county) with twenty-five copies of Swan's collated statutes, and an increase of all other laws for three townships.*

WILLIAM P. CUTLER,  
*Speaker of the House of Representatives,*  
 EDSON B. OLDS,  
*Speaker of the Senate.*

February 5, 1847.

## RESOLUTION

Relative to claim of John Graham and others.

*Resolved, by the General Assembly of the State of Ohio, That there be paid to John Graham, sheriff of Franklin county, for services rendered court in bank, and for money paid by him for materials and articles for the use of said court, the sum of one hundred and seventeen dollars and twenty-two cents; to George Riordan, for thirty-six days' attendance on said court, as messenger, &c., the sum of seventy-two dollars; and that the same be provided for in the general appropriation bill.*

WILLIAM P. CUTLER,  
*Speaker of the House of Representatives.*  
 EDSON B. OLDS,  
*Speaker of the Senate.*

February 5, 1847.

## RESOLUTION

Relative to authorizing Secretary of State to furnish copies of Ohio Reports to Clerks of Common Pleas.

*Resolved, by the General Assembly of the State of Ohio, That the secretary of state be and is hereby authorized, on satisfactory proof that any county in this state has not been furnished by the state with the eleventh, or any subsequent volumes of the Ohio Reports, to furnish the same to such county, out of any surplus copies on hand belonging to the state.*

WILLIAM P. CUTLER,  
*Speaker of the House of Representatives.*  
 EDSON B. OLDS,  
*Speaker of the Senate.*

February 5, 1847.

## RESOLUTIONS

Relative to requesting our Senators and Representatives to urge an increase of the pay of Volunteers who have served in the Mexican war.

*Resolved, by the General Assembly of the State of Ohio, That our senators and representatives in congress be requested to use their exertions in favor of increasing the pay of the volunteers who have served in Mexico, and for a provision in favor of those, or their families, who are in indigent circumstances, by an allowance to them during the existence of such disability.*

*Resolved, That the governor be requested to transmit a copy of the foregoing resolutions to each of our senators and representatives in congress.*

WILLIAM P. CUTLER,

*Speaker of the House of Representatives.*

EDSON B. OLDS,

*Speaker of the Senate.*

February 5, 1847.

## RESOLUTION

Relative to examining affairs of Zanesville and Maysville Turnpike Road Company.

*Resolved, by the General Assembly of the State of Ohio, That the board of public works shall appoint an agent to examine the affairs of the Zanesville and Maysville Turnpike Company, and such other turnpike companies in which the state holds stock, as said board shall direct; and the agent so appointed shall have power to send for persons and papers, to take depositions, and to examine fully the works, papers, and doings of said company or companies; and said agent shall make a full report of the condition of said road or roads, and of the affairs of the company or companies, to the board of public works, on or before the first day of November next; and said board shall lay said report before the general assembly within ten days of the commencement of its next session, with such recommendation as said board may think proper.*

WILLIAM P. CUTLER,

*Speaker of the House of Representatives.*

EDSON B. OLDS,

*Speaker of the Senate.*

February 5, 1847.

## RESOLUTIONS

Relative to French spoliations.

*Resolved, by the General Assembly of the State of Ohio, That by the treaty between the United States and France, of September thirty, one thousand eight hundred, the United States was released from the onerous stipulations of the treaty of alliance of one thousand seven hundred and*

seventy-eight, by which the United States guarantied to France the possession of all its West India islands; in consideration of which release, France was discharged from its just obligations and liabilities in favor of those American citizens who, prior to September thirty, one thousand eight hundred, had suffered by illegal captures, detentions, and spoliations of their vessels, and other property, by France, upon the high seas.

*Resolved*, That the said treaty of September thirty, one thousand eight hundred, appropriated the private claims of its citizens to discharge a national obligation, and that it is therefore the duty of the United States to provide for the payment of those citizens whose private property was thus taken for the use of the nation; and that in the continued delay of the United States, for the last forty-six years, to indemnify the sufferers, that provision of the constitution which declares that private property shall not be taken for public use without just compensation, has been disregarded.

*Resolved*, That the governor be requested to forward a copy of these resolutions to each of the representatives and senators of this state in the congress of the United States.

WILLIAM P. CUTLER,  
*Speaker of the House of Representatives.*  
EDSON B. OLDS,  
*Speaker of the Senate.*

February 5, 1847.

#### RESOLUTION

Relative to appointing Trustee for Ohio University.

*Resolved*, by the General Assembly of the State of Ohio, That R. F. Hickman, of Perry county, be and is hereby appointed a trustee of the Ohio University, to fill the vacancy occasioned by the resignation of General James T. Worthington.

WILLIAM P. CUTLER,  
*Speaker of the House of Representatives.*  
EDSON B. OLDS,  
*Speaker of the Senate.*

February 5, 1847.

#### JOINT RESOLUTION

Relative to the admission of John Dunn into the Lunatic Asylum.

*Resolved*, by the General Assembly of the State of Ohio, That the superintendent of the Lunatic Asylum be and hereby is directed to receive and consider the application for the admission of John Dunn, a resident of Summit county, an alien; also, the application for the admission of James Moore, a resident of Mahoning county, an alien; also, the application for

the admission of Catharine Sohafeling, a resident of Hamilton county, an alien, into the asylum under his charge, and to act in the premises the same as if said individuals were citizens of the State of Ohio; provided, that said persons shall be received as pay patients; and if their support shall not be otherwise provided for, then the expense incurred in their support in said asylum, during their continuance therein, shall be paid by the commissioners of the county in which they reside, in the same manner as the expenses of other pay patients; and said persons, when received, shall be counted in the apportionment of patients among the counties, as if they were known to be citizen residents of the counties in which they now reside; and provided further, that should there at any time occur a want of room in said asylum for the reception of lunatics, under the provisions of the laws regulating the same, then it shall be the duty of the officers of said asylum to discharge, and the duty of the commissioners of the said counties from whence they came to receive and provide for said persons.

WILLIAM P. CUTLER,

*Speaker of the House of Representatives.*

EDSON B. OLDS,

*Speaker of the Senate.*

February 6, 1847.

---

#### RESOLUTION

Relative to certain claims.

*Resolved, by the General Assembly of the State of Ohio,* That there be paid to the following persons the several sums of money annexed to their names, and that the same be provided for in the general appropriation bill: To I. N. Whiting & Huntington, two dollars and fifty-six cents; to W. H. Brodrick, two dollars and sixty-nine cents; to S. Clark & Co., seven dollars and ninety-one cents; to Cushman & Howell, one dollar and eighty-seven cents; to Gere, Abbott & Co., ten dollars and twenty-nine cents; to Jacob Boswell, two dollars and sixty-six cents; to James K. Linnell, five dollars; to T. P. Ellis & Co., two dollars; to Fay & Kilbourn, six dollars; to Humphrey & Kramer, twenty-seven cents; to Thomas F. Jones, eighty-seven cents; to Wing & Richards, sixty-nine cents; to Robert Mullen, fifty-five cents.

WILLIAM P. CUTLER,

*Speaker of the House of Representatives.*

EDSON B. OLDS,

*Speaker of the Senate.*

February 6, 1847.

## RESOLUTION

Relative to furnishing Clerk of Ashland Common Pleas with Swan's Collated Statutes.

*Resolved, by the General Assembly of the State of Ohio, That the Secretary of State be and he is hereby directed to furnish the clerk of the court of common pleas of Ashland county, with twenty-five copies of Swan's collated statutes, and that the same be transmitted with the laws and journals of the present session.*

WILLIAM P. CUTLER,  
*Speaker of the House of Representatives.*  
EDSON B. OLDS,  
*Speaker of the Senate.*

February 6, 1847.

## JOINT RESOLUTIONS

Relative to excluding Slavery from Oregon Territory, and any other territory which may hereafter be annexed to the United States.

*Resolved, by the General Assembly of the State of Ohio, That the Senators and Representatives from this State, in the Congress of the United States, be and are hereby respectively requested to procure the passage of measures in that body providing for the exclusion of slavery from the territory of Oregon, and also from any other territory that now is, or hereafter may be annexed to the United States.*

*Resolved, That the Governor be requested to transmit to each of the Senators and Representatives from this State, in the Congress of the United States, a copy of the above resolution, to be by them laid before their respective houses.*

WILLIAM P. CUTLER,  
*Speaker of the House of Representatives.*  
EDSON B. OLDS,  
*Speaker of the Senate.*

February 8, 1847.

## JOINT RESOLUTION

Relative to repairing the State House.

*Resolved, by the General Assembly of the State of Ohio, That the Librarian be required to take charge of the State House, from and after the adjournment of the Legislature, to put the same in good order, and keep it so, until the first Monday of December next, ordinary accidents*



excepted, and that he be paid such sums, not to exceed three hundred dollars, out of the fund in the treasury, appropriated to the payment of claims, or so much thereof as will effect such repairs, upon the order of the auditor.

WILLIAM P. CUTLER,  
*Speaker of the House of Representatives.*  
 EDSON B. OLDS,  
*Speaker of the Senate.*

February 8, 1847.

#### RESOLUTIONS

*Relative to Generals Taylor and Scott.*

*Resolved, by the General Assembly of the State of Ohio,* That the bravery, skill and good conduct of General Z. Taylor, and the soldiers under his command, deserve the highest commendation of the country.

*Resolved,* That we have full confidence in the bravery and skill of Major Generals Scott and Taylor, the heroes of many a hard fought battle, and that the dignity of the nation and the honor of the army can be committed to the charge of no abler commanders.

*Resolved,* That a copy of these resolutions be by the Governor transmitted to our Senators and Representatives in Congress, with the request that they be laid before that body.

WILLIAM P. CUTLER,  
*Speaker of the House of Representatives.*  
 EDSON B. OLDS,  
*Speaker of the Senate.*

February 8, 1847.

#### JOINT RESOLUTION

*Relative to furnishing the Clerk of Court of Common Pleas of Seneca county with copies of certain laws.*

*Resolved, by the General Assembly of the State of Ohio,* That the secretary of State be and he is hereby directed to furnish the clerk of the court of common pleas of said Seneca county, for the use of said county, one copy of all the general and local laws of Ohio, passed previous to the session commencing on the first Monday in December, one thousand eight hundred and forty, out of any surplus copies of such laws and journals belonging to the state.

WILLIAM P. CUTLER,  
*Speaker of the House of Representatives.*  
 EDSON B. OLDS,  
*Speaker of the Senate.*

February 8, 1847.

## JOINT RESOLUTION

Relative to furnishing copies of laws, journals and reports to the clerks of Knox and Cuyahoga counties.

*Resolved, by the General Assembly of the State of Ohio, That the secretary of state be instructed, to forward to the clerk of the court of common pleas, of the county of Knox, two hundred copies of the general laws of this state, with the usual number of local laws and journals in the yearly distribution of the laws and journals, instead of the number now sent.*

WILLIAM P. CUTLER,

*Speaker of the House of Representatives.*

EDSON B. OLDS,

*Speaker of the Senate.*

February 8, 1847.

## RESOLUTION

Relative to authorizing Board of Public Works to settle and adjust claims.

*Resolved, by the General Assembly of the State of Ohio, That the board of public works be and they are hereby authorized and required to examine and adjust all claims presented to them against the state, originating under any contract with the board of public works, or for labor performed, materials taken or furnished on any of the public works of the state, or for damages sustained by such works, whether such claim originated during the existence of the present or any former board, and that in such examination and adjustment the board shall be governed by the laws existing at the time such contracts were made, or such claims originated, and the attorney general of the state shall attend with and constitute a member of the board, for the purposes contemplated by this resolution; and said board shall report annually to the legislature the amount of the claims so allowed and paid, and to whom paid, and the particular work on which said claim originated, and for what specific purpose such allowance was made.*

WILLIAM P. CUTLER,

*Speaker of the House of Representatives.*

EDSON B. OLDS,

*Speaker of the Senate.*

February 8, 1847.

## RESOLUTIONS

Relative to the distribution of the Laws and Journals.

*Resolved, by the General Assembly of the State of Ohio, That the following numbers of copies of general laws, passed and ordered to be printed at the present session of the general assembly, and the following numbers of copies of acts of a local nature, and resolutions, passed and ordered to be printed, and of the journals of each house, shall be distributed to the several counties of this state, according to law, one bound copy thereof to be kept at the clerk's office of each county, as follows:*

COUNTIES.	General Laws.	Local Laws.	Journals.	COUNTIES.	General Laws.	Local Laws.	Journals.
Adams -----	125	20	15	Lorain -----	215	30	27
Allen -----	160	20	15	Logan -----	150	30	25
Ashland -----	125	25	20	Lawrence -----	130	20	18
Ashtabula -----	260	40	33	Lucas -----	180	30	25
Athens -----	200	35	30	Madison -----	140	20	18
Belmont -----	180	25	22	Mahoning -----	165	30	25
Brown -----	170	25	22	Marion -----	175	25	20
Butler -----	165	30	17	Meigs -----	148	23	20
Carroll -----	165	25	20	Mercer -----	165	20	18
Crawford -----	180	23	18	Medina -----	195	30	28
Clermont -----	163	30	25	Miami -----	140	22	18
Coshocton -----	220	32	24	Monroe -----	170	20	17
Clark -----	130	20	15	Montgomery -----	190	30	25
Clinton -----	135	20	16	Morgan -----	170	30	20
Cuyahoga -----	200	35	30	Muskingum -----	270	45	40
Columbiana -----	225	37	30	Ottawa -----	110	15	10
Champaign -----	140	24	19	Panlding -----	90	17	15
Delaware -----	185	30	25	Perry -----	140	25	23
Darke -----	220	30	25	Pike -----	120	18	16
Defiance -----	160	35	30	Portage -----	210	35	30
Erie -----	125	17	15	Preble -----	140	30	25
Fairfield -----	185	30	24	Pickaway -----	155	25	23
Franklin -----	200	30	24	Putnam -----	145	17	12
Fayette -----	115	23	15	Ross -----	190	35	25
Greene -----	125	20	16	Richland -----	210	30	25
Guernsey -----	212	28	24	Sandusky -----	135	30	24
Geauga -----	145	35	27	Seneca -----	160	30	25
Gallia -----	170	25	21	Scioto -----	160	25	20
Harrison -----	210	28	20	Shelby -----	150	20	18
Hardin -----	140	19	16	Stark -----	190	33	28
Hancock -----	190	30	25	Summit -----	180	28	25
Hamilton -----	290	35	28	Tuscarawas -----	210	32	27
Highland -----	160	24	18	Trumbull -----	225	45	40
Hocking -----	135	16	13	Union -----	148	25	20
Holmes -----	150	25	20	Vanwert -----	70	17	15
Henry -----	145	17	16	Warren -----	140	25	20
Huron -----	195	25	20	Washington -----	190	35	30
Jefferson -----	170	30	25	Wayne -----	190	30	25
Jackson -----	160	23	23	Williams -----	140	25	20
Knox -----	200	40	30	Wood -----	140	25	20
Lake -----	105	20	20	Wyandott -----	160	30	30
Licking -----	320	45	40				

*Resolved, That it shall be the duty of the secretary of state to reserve twenty per cent. of the amount to be paid to any contractor for delivering the laws, journals, and reports, until said contractor shall produce the receipts of the clerks of the courts of the several counties therefor.*

WILLIAM P. CUTLER,

*Speaker of the House of Representatives.*

EDSON B. OLDS,

*Speaker of the Senate.*

February 8, 1847.

## RESOLUTION

Relative to preparing Indexes to Laws and Journals.

*Resolved by the General Assembly of the State of Ohio*, That the chief clerks of the respective houses of the general assembly be authorized, after the adjournment, to complete the reports of their respective houses required by an act passed January twenty-one, one thousand eight hundred and thirty-nine, and that the speakers of the respective houses certify their accounts for such number of days as may be necessary to complete said work at a rate of compensation not exceeding three dollars per day while so engaged, and they shall also be paid the sum of one hundred and twenty-five dollars each for preparing indexes to the journals and public documents as provided in the aforesaid act, and be paid on the warrant of the speakers of the respective houses out of any moneys in the treasury not otherwise appropriated.

WILLIAM P. CUTLER,  
*Speaker of the House of Representatives.*  
EDSON B. OLDS,  
*Speaker of the Senate.*

February 8, 1847.

## JOINT RESOLUTION

Of thanks to the Clergymen of Columbus.

*Resolved, by the Senate and House of Representatives*, That the thanks of this general assembly are due, and are hereby tendered to the clergymen of the city of Columbus for their official service during the present session, and that the use of the state library be extended to them for the ensuing year.

WILLIAM P. CUTLER,  
*Speaker of the House of Representatives.*  
EDSON B. OLDS,  
*Speaker of the Senate.*

February 8, 1847.

## RESOLUTION

Relative to authorizing the Board of Public Works to make certain examinations relative to South Fork Feeder of Licking Creek.

*Resolved, by the General Assembly of the State of Ohio*, That the board of public works be and they are hereby authorized and required to examine, or cause to be examined, the premises said to be injured by putting up the headgate on the South Fork feeder, in Licking county, and the channel of the South Fork of Licking creek, and to cause the same to be cleared out and excavated until it shall be sufficient to so far carry off the water as to leave the lands along the same as free from inundation as they

were prior to the first diversion of the water, if said board shall consider this the best method of remedying the evils complained of: Provided, said board should not think this the best method of remedying the evil complained of, they are hereby authorized to remedy said evil in any other way they may think best for the interest of the state and all parties concerned; and provided, further, said board shall be of opinion that the state is justly bound to do any thing in the premises.

WILLIAM P. CUTLER,  
*Speaker of the House of Representatives.*  
EDSON B. OLDS,  
*Speaker of the Senate.*

February 8, 1847.

#### JOINT RESOLUTIONS

Relative to the boundaries of the states of Virginia, Kentucky and Ohio.

*Resolved, by the General Assembly of the State of Ohio,* That a board, to consist of three commissioners, citizens of Ohio, be appointed by the Governor of this state, who shall be authorized to meet a like board to be appointed by the state of Kentucky, at such time and place as may be agreed upon, and to enter into a compact with such Kentucky commissioners, settling the jurisdiction or boundary, or both, upon that part of the Ohio river which divides the states of Ohio and Kentucky: Provided, that such compact shall not be considered as binding until the same be ratified by the said states, respectively, and by the congress of the United States.

*Resolved,* That the same board of Ohio commissioners be also authorized to meet a like board to be appointed by the state of Virginia, at such time and place as may be agreed upon, and to enter into a compact with such Virginia commissioners, settling the jurisdiction or boundary, or both, upon that part of the Ohio river which divides the states of Ohio and Virginia: Provided, that such compact shall not be considered as binding until the same be ratified by the said states of Virginia and Ohio, respectively, and by the congress of the United States.

*Resolved,* That the Governor be authorized to supply any vacancy which may happen in the board of Ohio commissioners, and that said board report their proceedings under these resolutions to the General Assembly of Ohio, at its next session; and that they be allowed the sum of three dollars per day for each day they may be occupied in the business of their commission, and three dollars for every twenty-five miles of travel, to be paid out of any moneys in the treasury, not otherwise appropriated, on the warrant of the auditor of state, who shall adjust their accounts.

*Resolved,* That the Governor of this state forward a copy of these resolutions to the Governors of the states of Kentucky and Virginia, respectively, with a request that they be laid before the legislatures of said states.

WILLIAM P. CUTLER,  
*Speaker of the House of Representatives.*  
EDSON B. OLDS,  
*Speaker of the Senate.*

February 8, 1847.

## RESOLUTION

Relative to appointing Adin G. Hibbs director of Lunatic Asylum.

*Resolved, by the General Assembly of the State of Ohio, That Adin G. Hibbs be and is hereby appointed director of the Lunatic Asylum for the term of six years from and after the rising of this General Assembly.*

WILLIAM P. CUTLER,  
*Speaker of the House of Representatives.*  
 EDSON B. OLDS,  
*Speaker of the Senate.*

February 8, 1847.

## JOINT RESOLUTION

Relative to a day of Thanksgiving.

*Resolved, by the General Assembly of the State of Ohio, That the Governor be and he is hereby requested to issue, within the present year, his proclamation to the citizens of this state, recommending to them the observance of a day, previous to the first Monday of December next, of thanksgiving to Almighty God for his blessings to us as a people.*

WILLIAM P. CUTLER,  
*Speaker of the House of Representatives.*  
 EDSON B. OLDS,  
*Speaker of the Senate.*

February 8, 1847.

## RESOLUTION

Relative to a safe and sound Paper Currency.

*Resolved, by the Senate and House of Representatives of Ohio, That the business of the citizens of this State demands a sound and safe paper currency of our own, and that it is impracticable and inexpedient to make any legislative provision, whereby we would be compelled to do our own business, and to pay our taxes in gold and silver, and that it is not therefore advisable to repeal the several laws by which our present banks are established, or otherwise destroy the existing paper currency of the State.*

WILLIAM P. CUTLER,  
*Speaker of the House of Representatives.*  
 EDSON B. OLDS,  
*Speaker of the Senate.*

February 8, 1847.

## PREAMBLE AND RESOLUTION

Relative to authorizing Board of Public Works to repair the road leading from Logan to Lancaster.

**WHEREAS**, it is represented to the Legislature that, in the construction of the Hocking Valley Canal, the water has been raised in the Hocking river, at and immediately above the falls of said river, near the town of Logan, in Hocking county, by means of a dam erected there by the State, whereby a part of the public highway, leading from said town of Logan to the town of Lancaster, has been rendered impassable, or exceedingly difficult of passage in seasons of high water, and otherwise injured; therefore,

**Resolved**, That the Board of Public Works be and are hereby authorized to cause so much of said road, as shall be found by them to be injured as aforesaid, if the same has not already been done, to be repaired by embankment, or otherwise, in such manner as will place the same in as good condition, and make the same as convenient and useful to the public, as the same was before the construction of said canal, and that the same be paid for out of funds applicable to, and placed to account of, repairs upon canals.

**WILLIAM P. CUTLER,**

*Speaker of the House of Representatives.*

**EDSON B. OLDS,**

*Speaker of the Senate.*

February 8, 1847.

## JOINT RESOLUTION

Relative to the pay of Soldiers and the Volunteer service.

**Resolved, by the General Assembly of the State of Ohio**, That our Senators and Representatives in Congress be and they are hereby requested to aid in increasing the pay of the soldiers, now in the service of the United States, in the war with Mexico, or to procure the passage of a law allowing them such bounty, in land, as may consist with their meritorious service, and with the high character of the government; that we tender to the General Government the aid of the State, in all legitimate and honorable efforts, to bring said war to an honorable and speedy termination; that the thanks of this General Assembly are due to ex-governor Mordecai Bartley, for his prompt and patriotic conduct in meeting the requisition of the President of the United States, upon the State of Ohio, for volunteers; that, while we view with that pride and exultation, which may become a great and noble minded people, the recent brilliant victories, which have made our arms glorious, and our commanders respected in the eyes of other nations, and tender, in the name of the people of Ohio, our thanks to the officers and soldiers of the army in Mexico, and more especially to the volunteers of this State, for their courage and good conduct in the camp, on the march, and in the field, we sorrow also over those who, falling untimely in battle, or perishing by other common casualties of warfare, have left

their names and fame and memory to the whole country, and to sympathy and condolence to their bereaved widows and orphans. Copies of these resolutions, signed by the Speaker of each house, were submitted to the President of the United States, ex-governor B. each of our Senators and Representatives in Congress.

WILLIAM P. CUTI

*Speaker of the House of Representatives*

EDSON B. OLDS,

*Speaker of the House of Representatives*

February 8, 1847.

#### PREAMBLE AND RESOLUTIONS

*Relative to Ohio Volunteers.*

WHEREAS, we regard the present session of the general assembly as auspicious for making a suitable demonstration of the prevailing spirit of the people of the state, at the glorious results of our arms against the public of Mexico, and especially for the gallant manner in which the volunteer regiments from Ohio have sustained the high reputation of the state, whether in performing the unparalleled campaign at Buena Vista, encountering and overcoming every obstacle incident to the war, in the swamps and mountains of Mexico, or in the memorable conflict with the foe before the walls of Monterrey, and in the world that American valor has lost none of its luster, therefore,

*Resolved, by the General Assembly of the State of Ohio,* that in the name and on behalf of the people of Ohio, we tender to the soldiers composing the volunteer regiments from this state, our hearty approbation for their gallant conduct in the late several battles and engagements in the war with Mexico.

*Resolved,* That Ohio has not been disappointed in the expectations which she reposed in her citizens when first they responded to the call of the country, and that we have seen, in the gallant conduct of every occasion where the manly qualities of the soldier have been put into requisition, additional evidence that the fame of Ohio is in their hands.

*Resolved,* That we have the utmost confidence in the patriotism and ability of our fellow citizens composing the regiments now in the service of the republic in the war with Mexico.

*Resolved,* That the governor of this state be authorized to forward a copy of these resolutions to each of the Ohio volunteer regiments, with a request that said communications be read to their respective commands.

WILLIAM F

*Speaker of the House of Representatives*

EDSON B.

*Speaker*

February 8, 1847.



## JOINT RESOLUTIONS

Appointing James Hoge Trustee of the Deaf and Dumb Asylum, and Joseph McIlvain Trustee for the Blind Asylum.

*Resolved, by the General Assembly of the State of Ohio, That James Hoge be and he is hereby appointed a trustee of the asylum for the deaf and dumb, for the term of six years from and after the first day of April next.*

*Resolved, by the General Assembly of the State of Ohio, That Joseph McIlvain be and he is hereby appointed a trustee of the asylum for the blind, for the term of six years from and after the first day of April next.*

WILLIAM P. CUTLER,

*Speaker of the House of Representatives,*

EDSON B. OLDS,

*Speaker of the Senate.*

February 8, 1847.

## JOINT RESOLUTION

Relative to certain claims.

*Resolved, by the General Assembly of the State of Ohio, That there be paid to the following persons the several sums annexed to their names, and that the same be provided for in the general appropriation bill: to Sumner Clark, fifteen dollars five cents; to John Westwater and son, one dollar eighteen cents.*

WILLIAM P. CUTLER,

*Speaker of the House of Representatives.*

EDSON B. OLDS,

*Speaker of the Senate.*

February 8, 1847.

## JOINT RESOLUTION

Directing Clerks of Common Pleas to furnish Directors of Poor Houses with certain laws.

*Resolved, by the General Assembly of the State of Ohio, That it shall be the duty of the clerk of the court of common pleas of each county in this state, where there is a county poorhouse, to furnish the clerk of the directors of such poorhouse one copy of Swan's Collated Statutes for the use of the directors of such poorhouse and their successors; and if the clerk of the court of common pleas of any county shall not have a sufficient number of said statutes on hand to enable him to comply with this resolution, the secretary of state shall furnish him with a copy for that purpose on demand.*

WILLIAM P. CUTLER,

*Speaker of the House of Representatives.*

EDSON B. OLDS,

*Speaker of the Senate.*

February 8, 1847.

## JOINT RESOLUTION

Relating to forwarding Clerk of Common Pleas Warren county, certain laws.

*Resolved, by the General Assembly of the State of Ohio,* That the secretary of state forward, along with the laws and journals, to the clerk of the court of common pleas of the county of Warren, twenty copies of the school laws, for the use of said county; and also, to the clerk of the court of common pleas of Champaign county, twenty copies of said laws, for the use of said county of Champaign.

WILLIAM P. CUTLER,  
*Speaker of the House of Representatives.*  
 EDSON B. OLDS,  
*Speaker of the Senate.*

February 8, 1847.

## RESOLUTIONS

Relative to James Russell.

*Resolved, by the General Assembly of the State of Ohio,* That with just pride we recommend that the Regents of the Smithsonian Institute employ James Russell, the inventor of "Russell's Planetarium," to construct a Planetarium for that institute; to be a national monument to the great mind of the inventor, and of the munificence of its founder.

[*Resolved,*] That the Governor transmit to the regents of that institute a copy of these resolutions, and request their favorable consideration.

WILLIAM P. CUTLER,  
*Speaker of the House of Representatives.*  
 EDSON B. OLDS,  
*Speaker of the Senate.*

February 8, 1847.

## JOINT RESOLUTIONS

In relation to the claim of J. W. Jones and others.

*Resolved, by the General Assembly of the State of Ohio,* That there be paid to the following persons, the several sums annexed to their names, and that the same be provided for in the general appropriation bill: To J. W. Jones, the sum of four dollars fifty cents; to W. H. Brodrick, four dollars and twenty-nine cents; to W. H. Protsman, seven dollars seventy-five cents; to I. N. Whiting & Co. six dollars twenty-five cents; to L. Donaldson, two dollars forty-three cents; to Thomas F. Jones, one dollar thirty-seven and a half cents.

*Resolved, by the General Assembly of the State of Ohio, That there be allowed and paid to the following persons the several sums of money affixed to their names, to wit: to S. Clark & Co. two dollars and forty-four cents; to John Westwater & Son, one dollar and eighteen cents, and that the same be provided for in the general appropriation bill.*

WILLIAM P. CUTLER,  
*Speaker of the House of Representatives.*  
 EDSON B. OLDS,  
*Speaker of the Senate.*

February 8, 1847.

---

SECRETARY OF STATE'S OFFICE  
 COLUMBUS, *March 20, 1847.*

I hereby certify that the foregoing acts and resolutions are true copies of the original rolls on file in this office.

SAMUEL GALLOWAY,  
*Secretary of State.*



# INDEX.

## ACADEMIES AND COLLEGES.

	Page.
An act to incorporate the Mansfield Academical Institute, and also to amend the act entitled an act to incorporate the Ohio Mechanics' Institute, passed February 9, 1829-----	99
To amend an act entitled an act to incorporate the Baldwin Institute in Middleburg, Cuyahoga county, passed December 20, 1845-----	89
To dispose of two escheated lots in the town of Mansfield, Richland county-----	192
To authorize the establishment of professorships in the Farmers' College, Hamilton county-----	67
To incorporate the Marietta Female College-----	140

## BENEVOLENT INSTITUTIONS.

To amend the act to authorize the city council of Cincinnati to erect a house of correction-----	112
To incorporate the Hebrew Benevolent Society of Cincinnati-----	73
To amend the act entitled "an act to incorporate the trustees and subscribers of the New Orphan's Asylum of colored children in the city of Cincinnati"-----	32

## BRIDGES.

To authorize the construction of a toll bridge over the Little Miami at or near Symmestown, in Hamilton county-----	136
To incorporate the New Baltimore and New Haven Turnpike and Bridge Company-----	156
To authorize the town council of the town of Defiance to lay a tax for bridge purposes-----	190
To incorporate the East Fork Road and Bridge Company-----	90

## CEMETERIES.

To amend an act entitled "an act to incorporate the directors of the Wesleyan Cemetery of Cincinnati," passed February 9, 1843---	35
To incorporate the Urbana Cemetery Association-----	42

## CHURCHES.

To incorporate the Ridge Union Meeting House of Clinton and Pleasant townships, Seneca county, Ohio-----	152
To amend an act entitled an act to incorporate the Holy Congregation of the Children of Israel, passed January 8, 1830-----	130
To change the name of the St. John's Church of Lancaster, to the First German Reformed Church of Lancaster-----	83
To change the name of the Presbyterian Church and Congregation of Delhi-----	32

## CITIES AND TOWNS.

	Page.
To incorporate the town of Marion in the county of Marion-----	161
To amend the charter of the city of Cleveland-----	135
To amend the act entitled "an act to incorporate the town of Perrysburg, in the county of Wood," and the several acts amendatory thereto-----	151
To incorporate certain towns therein named-----	111
Further to amend the act entitled "an act to incorporate the city of Chillicothe," passed March 14, 1838-----	114
To authorize the mayor and common council of the town of Minster in the county of Mercer, to levy a tax for making side walks and other improvements in said town-----	116
To enable the constituted authorities of the town of Cumberland, in Guernsey county, to make certain improvements-----	105
Supplementary to the act authorizing the city of Dayton to borrow money for certain purposes, passed January 22, 1847-----	52
To authorize the mayor and trustees of the town of Harmar, and the town council of the town of Marietta, to convey land to the State of Ohio for hydraulic purposes-----	16
To amend an act to incorporate the town of Newark, in the county of Licking, and the several acts amendatory thereto-----	138
To authorize a loan of two hundred thousand dollars by the city of Cincinnati, for the use of the water works-----	17
To authorize the city council of Dayton to borrow money for certain purposes-----	16
To authorize the town of Hamilton to borrow money, and for other purposes,-----	52
To provide for a better management of the water works of the city of Cincinnati-----	29
To enable the town of Bellville to convey a lot of land-----	166
Further to amend the act entitled "an act to incorporate the town of Painesville,"-----	165
To amend an act entitled "an act to incorporate the town of Mount Vernon, in Knox county," passed February 26, 1845-----	159
Authorizing the town council of the town of Miamisburg to renumber the lots in said town-----	177
To amend the act entitled an act to incorporate the town of Steubenville, and also to provide better for the safety, peace, order and good government of said town-----	168
To amend the "act to incorporate the town of Barnesville, in Belmont county," passed March 7, 1835-----	34
To incorporate certain towns therein named-----	51
Further to amend the act entitled "an act to incorporate the borough of Ashtabula,"-----	49
To authorize the city of Cincinnati to fund the floating debt of said city-----	26
To amend the seventh section of "an act to incorporate certain towns therein named," passed February 28, 1846-----	74
To amend an act entitled "an act to incorporate Maumee City,"-----	87
To amend the act incorporating the city of Cincinnati, passed March 1, 1834, and the several acts amendatory thereto-----	38
To amend an act entitled "an act to incorporate the town of Urbana, Champaign county, passed December 29, 1814,"-----	103
To amend the act entitled "an act to incorporate the town of Mansfield, in the county of Richland,"-----	69

**CITIES AND TOWNS—Continued.**

	Page.
To amend the act entitled "an act to incorporate the town of Eaton, in the county of Preble," and the several acts amendatory thereto--	89
To amend the act entitled "an act to incorporate the city of Columbus, in the State of Ohio,"-----	92
To amend the act entitled "an act to incorporate the town of Milton, passed March 7, 1835,"-----	39
To authorize the city council of Cincinnati to levy taxes for school purposes-----	193

**COUNTIES, &c.**

To detach certain sections from Ashland county, and attach the same to Richland county-----	37
To authorize the Commissioners of Preble county to borrow money for certain purposes-----	118
To authorize the Commissioners of the county of Gallia to borrow money for the erection of public buildings-----	13
To give the Commissioners of Clark county jurisdiction, for certain purposes, over a portion of the unfinished part of the National Road west of Springfield-----	9
In relation to juries in Hamilton county,-----	128

**ESCHEATED LOTS.**

To dispose of two escheated lots in the town of Mansfield, Richland county-----	192
---	-----

**FUND COMMISSIONERS.**

To authorize and empower the Fund Commissioners of Hamilton county to sell and convey a certain lot in the city of Cincinnati---	46
--	----

**GRADES.**

To establish grades in a part of Storr's township, Hamilton county, and for other purposes-----	75
To amend the act entitled "an act to establish grades and enforce the paying and McAdamizing of streets, roads, lanes and alleys, in the southern part of Millcreek township, Hamilton county, passed March 6, 1844,"-----	67

**INTEMPERANCE.**

To prevent intemperance in Medina, Huron, and Erie counties---	131
--	-----

**LODGES.**

To incorporate the Urbana Lodge, No. 46, of the Independent Order of Odd Fellows-----	114
To incorporate the Master, Wardens, and Brethren of the Mount Zion Lodge, number nine-----	100

**MISCELLANEOUS.**

To authorize the Board of Public Works to abate a nuisance in the city of Dayton-----	142
To incorporate the Geauga County Mutual Fire Insurance Company-	153

## MISCELLANEOUS—Continued.

	Page.
To authorize the sale of Ministerial Section 20, range 1, town 2, in Colerain township, Hamilton county-----	84
For the erection of a town hall in the township of Spencer, Medina county-----	28
To preserve fish during certain seasons of the year in Chippewa Lake, in Medina county-----	19
To incorporate the Independent Hook and Ladder Company of Massillon, in Stark county-----	110
To incorporate the Castalia Manufacturing Company-----	143
To incorporate the Wayne Township Savings Institute, at Bloomfield, Jefferson county-----	146
To change the name of Meadow Lane, in Montgomery township, Franklin county, to that of Washington Avenue-----	24
To amend an act entitled "an act to provide for the improvement of the navigation of Duck Creek, in the counties of Washington and Monroe,"-----	172
To incorporate the Cleveland Horticultural Society-----	33
To amend the act entitled "an act to incorporate the Portsmouth Dry Dock and Steamboat Basin Company," passed March 9, 1839, and all acts amendatory thereto-----	4
Providing for the inspection of sawed lumber and shingles, in Hamilton county-----	93
To quiet the title of the northeast quarter of section twenty-five, in township three, north of range three, east, in the county of Paulding,-----	149

## PRIVATE PERSONS.

To authorize Mercy King, Ervilla King, and Julian King, to surrender the lease for and become the purchasers of the northwest quarter of section sixteen, in Scipio township, Seneca county-----	167
For the relief of Zachariah P. Jones-----	110
For the relief of Robert Young and Demas Adams, jr.-----	191
For the relief of Stacy Taylor, subcontractor under William Kent---	17
To divorce A. Seeley Powers from his wife, Mary Powers-----	20
Amendatory to an act entitled "an act authorizing the personal representatives of Micajah T. Williams, late of Hamilton county, deceased, to complete the contracts said Williams made in his lifetime relative to real estate, and for other purposes, passed March 6, 1846,"-----	12
To authorize William Lee and John Whan, administrators of the estate of Joshua Brown, (a colored man,) late of Athens, Harrison county, Ohio, deceased, to pay over the amount of personal property belonging to said estate, in their hands and under their control, and deliver the deed or deeds of the one-half of the undivided north half of lot No. 21, as marked on the plat of said town of Athens, in said county, to John Edie, (a colored man,) of Jefferson county, Ohio-----	19
To authorize Picton D. Hillyer, administrator of Milo D. Pettibone, deceased, to sell land and complete real contracts of his decedent, and for other purposes-----	25
To legalize the acts of Joshua Wickliffe, of Liberty township, Fairfield county, in reference to the sale of certain school lands therein named-----	54
For the relief of Alfred Cowles and Edwin W. Cowles-----	66



**PRIVATE PERSONS—Continued.**

	Page.
Authorizing Henry B. Alspach to sell certain lots in the town of Jefferson, in Fairfield county, and apply the proceeds to the erection of a school house-----	73
For the relief of Elzy Wilson-----	103

**ROADS.**

To authorize the commissioners of Wood county to cut down timber adjoining certain roads in the county of Wood-----	29
To create a certain road district therein named-----	75
To authorize the Commissioners of Wood county to repair certain roads-----	71

**RAILROADS.**

To incorporate the Wellsville and Pittsburg Railroad Company---	183
To amend the act to incorporate the Carroll County Railroad Company-----	115
To incorporate the Eaton and Hamilton Railroad Company-----	97
To incorporate the Central Ohio Railroad Company-----	178
To authorize the Commissioners of Licking county to take stock in railroad companies-----	170
To amend the act to incorporate the Ohio Railroad Company-----	86
To amend the "act authorizing the city of Cleveland to subscribe to the capital stock of the Cleveland, Columbus, and Cincinnati Railroad Company,"-----	50
Authorizing the Commissioners of Greene county to subscribe to the capital stock of the Columbus and Xenia Railroad Company, and for other purposes-----	64
To amend "an act to authorize the County Commissioners of Hardin county to subscribe to the capital stock of the Madriver and Lake Erie Railroad Company, and to convey certain lots, passed March 16, 1839,"-----	36
To authorize the President and Council of the town of Springfield, in Clark county, to subscribe to the capital stock of the Madriver and Lake Erie Railroad Company-----	65
To amend "an act to incorporate the Little Miami Railroad Company, passed March 11, 1836, and the acts amendatory thereto,"-----	55
To amend the "act to incorporate the Cincinnati, Hamilton, and Dayton Railroad Company, passed on the 2d of March, 1846,"-----	81
Authorizing the Commissioners of Madison county to subscribe to the capital stock of the Columbus and Xenia Railroad Company, and the Springfield and Columbus Railroad Company-----	84
To incorporate the Dayton, Lebanon, and Deerfield Railroad Company-----	59
To amend an act entitled "an act to incorporate the Madriver and Great Miami Railroad Company,"-----	72
To authorize the Commissioners of Franklin county, and the City Council of the city of Columbus, to subscribe stock to certain railroad companies-----	56
To authorize the Commissioners of Clark county to subscribe to the capital stock of the Madriver and Lake Erie Railroad Company, and to pay for the same in the mode therein described-----	87
To authorize the Cleveland, Columbus, and Cincinnati Railroad Company to construct side branches-----	95
To authorize the city of Dayton to subscribe to the capital stock of railroad companies-----	95

## STATE ROADS.

	Page.
To revive an act entitled "an act to lay out and establish a graded State road in the counties of Lawrence and Gallia, passed March 1, 1838,"-----	98
To amend an act entitled "an act to provide for the alteration and completion of the State road from Painesville, in Lake county, to Bloomfield, in Trumbull county, passed February 19, 1846,"-----	106
To revive and amend an act entitled "an act to lay out and establish a State road in the counties of Monroe and Washington,"-----	21
To revive and amend an act entitled "an act to lay out and establish a State road in the counties of Coshocton and Knox,"-----	23
To revive and amend an act entitled "an act to lay out and establish a State road in the counties of Vanwert and Paulding,"-----	38
To lay out and establish a State road in the counties of Jackson and Gallia-----	74
In relation to a State road running from Mount Vernon, in Knox county, through Mansfield, Richland county-----	88
To lay out and establish a graded State road from Leesburg, Carroll county, to Zoar, in Tuscarawas county-----	36
To lay out and establish a graded State road from Coshocton, in Coshocton county, to Canal Dover, in Tuscarawas county-----	33

## SCHOOLS AND SCHOOL LANDS.

To authorize the sale and conveyance of certain lots in Mansfield, Richland county-----	41
To authorize the sale of School Section Sixteen, in Florence township, Williams county-----	71
To authorize the sale of school lands belonging to the trustees of fractional township No. 3, in range No. 14, in the county of Gallia--	54
To authorize the sale of school section sixteen, in Willshire township, Vanwert county-----	66
To authorize the sale of the southwest and northeast quarters of section sixteen, in Rose township, in Carroll county-----	53
To extend the time of payment to purchasers of school section No. 16, in Farmer township, Defiance county-----	192
For the support and better regulation of common schools in school district number one, in Ravenna-----	121
To authorize the sale of the south half of the southwest quarter, and the east half of the northwest quarter of section sixteen, in township No. 14, range No. 16, in Perry county, Ohio-----	173
To authorize the sale of the south half of lot number twenty-four, section three, township seven, range eighteen, United States military school land in Delaware county-----	174
To authorize the sale of section sixteen, in Green township, in Hamilton county-----	176
For the support and better regulation of common schools in the town of Akron-----	187
To authorize the sale of school section sixteen, in Aurelius township, Washington county-----	14
To authorize the sale of section sixteen, in Antrim township, Wyandott county, Ohio-----	4
To authorize the auditor of Hamilton county to sell lot number one, containing 54.85 acres in the sub-division of the sixteenth section, in Delhi township, in said county, and to authorize an additional per centum to be levied for school purposes in the city of Cincinnati-----	158

## SCHOOLS AND SCHOOL LANDS—Continued.

	Page.
To authorize the sale of a part of school section sixteen, in Colerain township, Belmont county-----	5
To authorize the sale of school section sixteen, in township twenty-one, range twenty, in Richland county, belonging to a fractional part of Sugar Creek township, Stark county, for school purposes-----	10
To authorize the sale of school section sixteen, in township seven, range four, Belmont county-----	8
For the relief of school district number two in German township, Harrison county, and school district number ten, in Washington township, in Clermont county-----	139
To authorize the sale of school section sixteen, in Olive township, Morgan county-----	174
To authorize the sale of school section twenty-six, in township eight, range fifteen, in Meigs county, granted by Congress for the use of schools in the original surveyed township, number eight, range sixteen, Gallia county-----	121
To authorize the sale of lots number one and five, of section sixteen, Beaver Creek township, Greene county-----	116
To provide for the revaluation and sale of a certain tract of school land in Stark county-----	191
To authorize the sale of certain school lands in Seneca and Wyandott counties-----	104

## SUPERVISORS.

Regulating Supervisors in certain portions of the counties of Highland, Warren, Brown, Clermont, Clinton and Fayette-----	120
---	-----

## TURNPIKES.

To incorporate the Sidney and Wapaukonnetta Turnpike Road Company-----	147
To incorporate the Walnut Hills, Madison and Plainessville Turnpike Road Company-----	124
To amend an act entitled an act to incorporate the Milford and Chillicothe Turnpike Road Company passed February, 11, 1832, and also to amend the act incorporating the Belpre and Cincinnati Railroad Company-----	127
To repeal part of the sixth section of the act authorizing the commissioners of Wood county to purchase the Perrysburg, Findlay and Kenton turnpike road, passed January 21, 1845-----	31
To incorporate the Salem Turnpike Road Company-----	18
To incorporate the Germantown, Farmersville and West Alexandria Turnpike Road Company-----	18
To incorporate the Hamilton and Gregory's Creek Turnpike Road Company-----	14
To incorporate the Columbus, Harrisburgh, Mt. Sterling and Washington Turnpike Road Company-----	35
Supplementary to the act entitled an act to incorporate the Dayton, Xenia and Washington Turnpike Road Company-----	86
To incorporate the Clark and Miami Turnpike Company-----	45
To incorporate the Amanda, Monroe, and Redbuck Turnpike Road Company-----	70
To incorporate the Miltonville and Trenton Turnpike Road Company,-----	21
To incorporate the Western Miami Valley Turnpike Road Company,-----	193

## TURNPIKES—Continued.

	Page.
To amend the act to incorporate the Gallia, Jackson and Chillicothe Turnpike Company, passed February 11, 1846-----	47
To amend the act entitled an act to incorporate the Dayton and Brant Turnpike Road Company-----	70
To incorporate the Princeton and Port Union Turnpike Road Company-----	42

## TURNPIKES, FREE.

To legalize the proceedings of the commissioners appointed to lay out and establish a free turnpike road from the south line of township five, range twelve, in Wood county, to McCutchensville, in Wyandott county, passed February 11, 1845-----	120
To lay out and establish a free turnpike road from Port Washington, in Tuscarawas county, to Newtown, in said county-----	39
To lay out and establish a free turnpike road from Defiance, in Defiance county, to the Indiana State line, at the point where the Fort Wayne road now crosses said State line, in the county of Paulding, in the State of Ohio-----	169
To lay out and establish a free turnpike road from Marysville, in Union county, eastwardly, to the Delaware county line-----	102
To authorize the Springfield and Urbana Turnpike Company to surrender to the trustees of the Springfield and Sandusky Free Turnpike Road Company all their powers and privileges-----	117
To lay out and establish a free turnpike road from Logan to Mount Pleasant, in Hocking county, and to McArthurstown, in Athens county-----	173
To lay out and establish a free turnpike road from Locust Point, in Ottawa county, to the Maumee and Western Reserve road, in Sandusky county-----	98
To revive and amend the act entitled "an act to lay out and establish a free turnpike road from the Mad River and Lake Erie Railroad in the county of Hardin, to the county of Vanwert, passed January 9, 1845-----	101
To amend the act "to lay out and establish a free turnpike road from Woodville, through Rollersville, in Sandusky county," passed February 9, 1846-----	107
To revive an act entitled "an act to lay out and establish a free turnpike road from the south line of township five, range twelve, in Wood county, to McCutchensville, in Wyandott county," passed February 11, 1846-----	101
To lay out and establish a free turnpike road from the Findlay road to the McCutchensville road, in Wood county-----	109
To lay out and establish the Hull Prairie free turnpike road-----	105
Accepting the chartered franchises of the First Range Turnpike Company, in Ashtabula county, and declaring their road a free turnpike road-----	108
To lay out and establish Liberty township and Miltonville free turnpike road-----	133
To lay out and establish a free turnpike road from McCutchensville, in the county of Wyandott, to Oceola, in the county of Crawford, in the State of Ohio-----	104
To amend an act entitled "an act to lay out and establish a free turnpike road from the town of Perrysburg to the north line of Wood county," passed January 29, 1846-----	8

**TURNPIKES, FREE—Continued.**

	Page.
To lay out and establish a free turnpike road from Piqua, Miami county, to Beamsville, in Darke county-----	9
To amend an act entitled "an act to lay out a free turnpike road from South Otsego to the north line of Hancock county, passed March 10, 1845-----	23
To lay out and establish a free turnpike road from the town of Jackson, in Jackson county, to the town of Portsmouth, in Scioto county.	3
To lay out and establish a free turnpike road from New Washington, in Guernsey county, to Newtown, in Tuscarawas county-----	11
To lay out and establish a free turnpike road from the town of Portsmouth, in the county of Scioto, to the town of Hillsborough, in Highland county-----	50
To authorize the commissioners of Logan county to apportion road tax amongst free turnpike roads in said county-----	48
To legalize the proceedings of the commissioners appointed to relocate a portion of the Brunersburg, Evansport and Lockport free turnpike road in Defiance county-----	48
To amend the act entitled an act to lay out and establish the Lima and Defiance free turnpike road-----	69
To amend an act entitled "an act to lay out and establish a free turnpike road from Gilead, in Wood county, to Kalida, in Putnam county," passed March 2, 1846-----	68

**TAXES.**

To authorize the Commissioners of Hancock county to levy an additional tax for road purposes-----	31
To authorize the Commissioners of Sandusky county to levy a tax on certain parts of said county, for the purpose of improving the navigation of the Sandusky river, and the head of the Sandusky bay--	5
To authorize the Commissioners of Paulding county to levy a certain tax for county purposes-----	134
To authorize the Commissioners of Guernsey county to levy a sufficient tax for county purposes-----	117

**TOWNSHIPS.**

To divide the township of Steubenville, in Jefferson county, into two election districts-----	119
To reduce the number of township assessors in Scioto township, Ross county, from five to two-----	13
To provide for leasing a tract of land in Freeport township, Harrison county-----	24
Relating to taxes in the county of Hamilton, and the southern precinct in Millcreek township-----	46
To appoint commissioners to establish section lines, corners and quarter posts, in the townships of St. Josephs, Centre and Pulaski, in the county of Williams-----	145
Authorizing the Commissioners of Cuyahoga county, in their discretion, to erect a new township in said county-----	133

**UNIVERSITIES.**

To amend the "act to incorporate the Willoughby University of Lake Erie," passed March 3, 1834-----	7
To provide for funding the debts of the Ohio University-----	176
To authorize the President and Trustees of the Miami University to relinquish certain rents in certain cases-----	85

## RESOLUTIONS.

## A.

## ASYLUMS.

	Page.
Admission of John Dunn into the Lunatic Asylum-----	212
Admitting a certain lunatic into the Lunatic Asylum-----	201
Appointing Adin G. Hibbs director of Lunatic Asylum-----	220
Appointing James Hoge trustee of the Deaf and Dumb, and Joseph McIl- vaine trustee of the Blind Asylum-----	223
Directors and Superintendent of the Deaf and Dumb, relative to printing the report of the-----	196
Officers of the Blind, relative to printing the report of the-----	199
Officers of the Lunatic, relative to printing extra copies of the report of the	195
Auditor and Treasurer of State, appointing a committee to examine the books of-----	199

## B.

## BOARD OF PUBLIC WORKS.

To settle and adjust claims-----	216
To repair the road leading from Logan to Lancaster-----	221
To make certain examinations relative to South Fork Feeder of Licking creek-----	218
Calling on Board of Public Works for certain information-----	197
Relative to printing extra copies of annual report of-----	203
Boundaries of the States of Virginia, Kentucky and Ohio, relative to-----	219
Barbee, William, authorized to construct a dam across the Miami river-----	205

## C.

Claim of George D. Leckey, relative to-----	206
Certain claims, relative to-----	213
Claim of John Graham and others relative to-----	210
Claims, joint resolution relative to-----	223
Claim of J. W. Jones and others, in relation to-----	224
Claim of H. Hardy, relative to-----	202
Claim of J. D. Osborn & Co., relative to-----	198
Claims of W. H. Protsman and Thomas F. Jones, joint resolution allowing--	203
Claims, presented against the State for certain services; joint resolution ap- pointing the Governor, Auditor of State, and Attorney General, commis- sioners to investigate and determine the validity of-----	206
Common Schools, relative to printing extra copies of report of the Superin- tendent of-----	207
Commissioners, Special, to investigate claims on the National Road, relative to printing extra copies of report of the-----	198
Certain claims, joint resolution relative to-----	206
Claim of I. N. Whiting and others, relative to-----	208
Claim of I. G. Dryer & Co., relative to-----	203
Charity school of Kendall, Stark county, relative to-----	204
Clergymen of Columbus, resolution of thanks to-----	218
Currency, safe and sound, relative to-----	220
Cox, Levi, relative to per diem allowance of-----	207

## H.

Hamer, Gen., joint resolution relative to-----	Page. 197
Resolution appointing commissioners to remove the remains of, from Mexico-----	201

## I.

Index to the Laws and Journals, relative to, preparing-----	218
Index to General Laws, relative to printing and compiling-----	204

## L.

Laws, certain, relative to furnishing the clerk of common pleas of Seneca county with copies of-----	215
Laws, Journals and Reports, relative to furnishing copies of, to the clerks of Knox and Cuyahoga counties-----	216
Laws, school, relative to furnishing the auditor of Sandusky county with certain copies-----	201
Laws and Journals, relative to the distribution of-----	218
Laws, certain, directing clerks of common pleas to furnish directors of poor houses with-----	223
Laws, certain, relative to furnishing the clerk of Wood county with-----	210
Laws, certain, relative to forwarding clerk common pleas, Warren county, with-----	224
Laws, copies of, directing Secretary of State to furnish to certain superinten- dents-----	208

## M.

Medical College of Ohio, appointing trustees of-----	208
--	-----

## O.

Oregon Territory, and other territory which may hereafter be annexed to the United States, relative to excluding slavery from-----	214
Ohio Reports, authorizing the Secretary of State to furnish copies of, to the clerks of common pleas-----	210
Ohio University, relative to appointing trustees for-----	212
Ohio Penitentiary, calling upon the Warden and Directors of, for certain information-----	196

## P.

Postage of Members and Clerks, relative to-----	195
---	-----

## R.

Russell, James, relative to-----	224
Rules, standing and joint, relative to furnishing members with copy of-----	198

## S.

Scippo Reservoir, relative to-----	206
Swan's Collated Statutes, relative to furnishing clerk of Ashland common pleas with-----	214
Superior court of Cincinnati, relative to printing act concerning-----	199
State Librarian, authorized to collect natural or artificial curiosities within the State of Ohio-----	200

	Page
Supreme Court, relative to appointing a joint select committee to fix the times of holding-----	196
Stickney, Benjamin F., relative to-----	209
State House, relative to repairing-----	214
Spoliations, French, relative to-----	211

P.

**TURNPIKE ROAD COMPANIES—**

Relative to examining the affairs of Zanesville and Maysville-----	211
Columbus and Sandusky, directing Attorney General to inquire into certain facts relative to-----	206
Taylor and Scott, Generals, relative to-----	215
Thanksgiving, relative to a day of-----	220

V.

Volunteers, Ohio, relative to-----	222
Volunteer service, and relative to the pay of the soldiers of-----	221
Volunteers who have served during the Mexican war, relative to requesting our Senators and Representatives to urge an increase of the pay of-----	211







ANNUAL REPORT  
OF THE  
AUDITOR OF STATE.

---

AUDITOR OF STATE'S OFFICE,  
*Columbus, December 15, 1846.*

*Gentlemen of the Senate and House of Representatives :*

In obedience to the requisitions of law, I submit to you the following statement of the condition of the finances of the State, and of the receipts and disbursements at the treasury, for the year which closed on the fifteenth day of November last, with such remarks on the fiscal affairs of the State as are deemed proper for the consideration of the Legislature.

It affords me pleasure to inform you that the revenues of the State, during the past year, have been fully equal to the discharge of the current expenses of the government, and to the payment of the interest upon the whole of our State debt ; the deficit in the receipts of one fund being more than made up by the surplus in others.

There has been an increase of the receipts from every branch of our revenue, whilst the expenditures have, in several important items, been reduced.

To render this account of the finances of the State, and of the several funds, as clear as practicable, it is deemed proper to present a general statement of the receipts and expenditures of the year, and an estimate for the current year, and then to give an account, in detail, of each fund.

# GENERAL STATEMENT OF RECEIPTS AND EXPENDITURES.

## RECEIPTS.

Amount of general revenue received during the year ending 15th November, 1846, for the support of the government; being proceeds of 1 mill on the dollar of the grand list, and incidental items -----	\$163,621 62	
Canal funds received, viz:		
Proceeds of tax of 5½ mills on the dollar of the grand list-----	\$765,406 34	
Canal tolls-----	595,479 09	
Turnpike dividends-----	35,291 21	
School and Trust Funds, section 16, &c. -----	27,558 89	
Proceeds of bonds issued under act of March 2, 1846, for the payment of certain debts on the public works -----	91,742 00	
Incidental items -----	11,123 39	
		1,526,600 92
Common School Funds received, viz:		
Proceeds of tax of ½ mill on the dollar of the grand list -----	\$69,582 39	
Tax on lawyers and physicians, peddlers' licenses, and auction duties-----	10,821 32	
Tax on banks, insurance and bridge companies -----	28,844 15	
Surplus Revenue 5 per cent. interest, paid by the counties-----	90,668 72	
		199,916 58
Special school fund, being rents from the Virginia Military School lands, paid by agent -----		3,605 27
Wabash and Erie, and Miami Extension Canal lands sold-----		22,114 13
National Road bonds issued under act of 2d March, 1846, for payment of work on National Road, performed under direction of the former Board of Public Works, prior to 1st April, 1845-----	\$33,900 73	
Tolls on National Road -----	28,946 21	
		62,846 94
Principal of surplus revenue paid by counties, under the provisions of the act of 13th March, 1843-----		98,996 42
Tolls on Western Reserve and Maumee road -----		3,415 74
One per cent. paid on Surplus Revenue by certain counties, including \$198 03, which had been carried to Five Per Cent. Fund -----		286 76

Amount of payments into the treasury during the year ending November 15th, 1846-----	\$2,061,384 38
Amount of balances in the treasury on the 15th November, 1845 -----	204,161 19
Total amount applicable to the service of the year 1846 -----	<u>\$2,285,545 57</u>

## DISBURSEMENTS.

Amount of bills issued upon appropriations for the support of the government, expenses of the Asylums, and other State expenditures, which were redeemed at the Treasury during the year ending 15th November, 1846-----	\$192,701 59
Amount paid out of Canal and Interest Fund, viz:	
Repairs and superintendence of canals--	\$233,232 59
Special school funds, interest on section 16, &c.-----	88,450 79
Domestic bonds redeemed-----	85,001 65
Sinking fund paid acting Fund Commissioner-----	23,398 31
Interest upon domestic bonds-----	45,787 42
Interest upon Surplus Revenue repaid by the counties, being 1 per cent.-----	3,825 07
Interest upon foreign debt, temporary loans and scrip, and expenses-----	1,106,058 41
Expenses of Fund Commissioners and Board of Public Works-----	1,497 35
	<u>1,537,251 59</u>
National Road repairs, paid out of tolls--	\$24,347 60
Bonds paid out for work performed prior to 1st April, 1845, in accordance with act of 2d March, 1846-----	33,158 63
	<u>57,506 23</u>
Common school fund, paid out and distributed among the counties-----	200,001 00
Amount repaid out of canal funds for lands improperly sold, and expenses-----	566 72
Total disbursements from the treasury during the year ending the 15th November, 1846-----	<u>\$2,036,027 13</u>
Balance in the treasury on the 15th November, 1846-----	<u>\$247,517 97</u>

Two items are included in this statement which do not form a part of the ordinary receipts and expenditures of the State. These are

the bonds issued under the act of 2d March, 1846, for the payment of certain debts on the public works, and the National Road bonds. The claims for which these bonds have been issued, existed previous to 1846. The State debt has not really been increased by the issue of these bonds. It has in fact been reduced, during the year, the amount of the domestic bonds which have been redeemed and cancelled.

The total amount of State taxes charged upon the real and personal property entered on the grand list of 1844, was \$948,996 63. The amount charged upon the list of 1845, was \$1,006,001 58, being an increase of \$55,004 95. The same rate per cent., (7 mills on the dollar,) was charged each year. Three-fourths of this increase was produced by the operation of the tax law of 13th March, 1845, which brought upon the duplicates at half its value, more than twelve millions of capital which had previously escaped taxation.

In the estimate which was presented in the last annual report from this office, it was stated that there would probably be a deficit in the receipts during the year. This, fortunately for the State, has not occurred; and, although the amount received has not been greater than the estimates, the expenditures have been less.

The public works of the State have yielded a much larger revenue this year than has ever before been received from them. The estimate of the net proceeds of tolls and dividends which was made in my last annual report, has been more than realized.

The net amount of tolls received from our canals, and the dividends on turnpike stock held by the State, and applicable to the payment of interest upon the State debt, is \$397,537 71.

The tolls received on the Miami and Miami Extension canals, and on the Wabash and Erie canal, are, to a considerable extent, blended in the returns made by the collectors to this office. This could not be avoided without subjecting the business of these canals to great inconvenience. When boats are cleared at Toledo for Cincinnati or intermediate points on the Miami or Miami Extension canal, the tolls are received to the place of destination; and so of the clearances at Cincinnati,—the tolls are received at that office upon the whole line to Toledo. The canal from Cincinnati to Toledo forms but one line of navigation, and no good reason exists for designating it by several names, or for keeping separate accounts on the books of this office, especially on that part of the line from Cincinnati to the junction.

The dividends received from turnpike companies, are more than five thousand dollars over the estimate. Several of these companies are still embarrassed by debts incurred in the construction of their roads. A large part of the tolls received is swallowed up in costs and expenses, which would be saved if means were adopted for relieving these companies from their embarrassments. The State would, in the end, gain by permitting the whole of the tolls received to be applied to the payment of the just debts of the companies, contracted for the construction of the roads.

The balance of the Common School Fund remains nearly the same as last year, the receipts being only a few dollars less than the sum paid to the counties. The tax upon banks, which forms a part of this fund, would have been considerably increased if the old banks had not been exempted from paying more than five per cent. upon their dividends, by the provisions of an act to prohibit the circulation of small bills, passed 14th March, 1836.

The 4th section of the act of 2d March, 1846, amendatory of the act to tax bank, insurance and bridge companies, provides that the sums set apart by banks and insurance companies shall be credited, when received, to the interest fund. This provision, if carried into effect, would materially impair the Common School Fund, and take away nearly the whole balance of that fund now in the Treasury. If it shall be deemed necessary, and the law remains in force, the transfer can hereafter be made to the interest fund. It is not, however, supposed that it was the intention of the Legislature to impair the common school fund; and as the interest fund will, from the revenues which appropriately belong to it, be sufficient to meet the annual interest upon the State debt, I respectfully recommend the repeal of this provision.

The amount which has been received for canal lands, sold during the year, is greater than was expected, and it is believed, if no change is made in the system of selling these lands, that during the present year there will be a further increase. By the report from the Lima office, which has just been received, it appears that nearly five thousand dollars have been received at that office during the last quarter.

The change in the valuation of personal property placed upon the duplicates this year, has made the assessment of the taxes much more equitable than it had formerly been. There will be collected and paid into the Treasury this year, more than one hundred thousand dollars upon property and capital which had never been subject to taxation previous to 1845, and at the same time a reduction of nearly ten millions has been made in the valuation, upon the duplicates, of a class of property which before paid more than double its just proportion of the taxes.

It appears by the tables which accompany this report, that the value of domestic animals which will be placed upon the list next year will exceed twenty-seven millions of dollars, upon which the tax will be less than one half the sums paid in 1844 and in 1845, upon horses and cattle alone!

The species of wealth which, under the old law, paid the least share of the taxes in proportion to its value, was mercantile capital and money at interest, manufacturers' stock being entirely exempted. The whole taxable property of the State stood upon the list of 1844, at \$136,142,666. The value of horses and cattle, as assessed, was \$20,667,271, being nearly one-sixth part of the whole taxable property of the State; at the same time, merchants' capital and money at interest were returned at \$7,550,005, being one-eighteenth part only of the grand list. Under the provisions of the present law this inequality is entirely removed.

The total value of the taxable property of the State will be, next year, not less than four hundred and five millions. Horses and cattle will amount to about twenty-three millions, being less than one-seventeenth part of the taxable property of the State. Merchants' and manufacturers' stock, and moneys and credits, will amount to forty-five millions, being one-ninth part of the grand list. It is by bringing this great amount of wealth and capital upon the duplicate for taxation, that the justice of the new law is made most apparent.

Its beneficial results arise from the great addition which is made to the taxable property of the State. Every citizen will hereafter bear a part of the general charge in proportion to the property and wealth which he enjoys under the protection of the laws of the State.

The value of the several classes of personal property entered on the grand list for taxation, for the years 1844, '45 and '46, and as returned by the township assessors, was as follows :

Years.	Domestic Animals.	Carriages, Watches & Pianos.	Enumerated and unenumerated articles.	Merchants' & Manufacturers' Stock, and Moneys and Credits.	Total amount of Personal Property on Duplicates.
1844 ----	20,667,271	783,238	-----	7,550,005	29,000,514
1845 ----	21,274,824	1,055,742	-----	13,556,507	35,887,073
1846 ----	13,626,572	1,485,277	17,656,942	22,695,554	40,352,496
Returned by assessors --	26,632,257	2,902,890	34,509,505	44,622,168	79,131,673

It is probable that application will be made by the banks to have their capital stock placed upon the grand list, and taxed, for State purposes, an amount equal to the average tax paid upon other property. If the people of the State are disposed to relieve the banks from the payment of the tax now assessed upon them, under the act to incorporate the State Bank of Ohio and other banking companies, it may be well to consider this proposition favorably. But if the banks, in consideration of the privileges which they enjoy, ought to pay a greater tax upon their stock than is levied on other property of equal value, they should not be released from the contract, under which they will have to pay a greater tax than will be levied upon the property of individuals.

The following table shows the amount of tax which has been paid, during the past year, upon the stock of the independent banks, the branches of the State bank, and by the old banks :

	Amount of capital 1st Nov. 1846.	Average am't of capital during the year.	Taxes paid during the year.	Mills paid on each dollar of average capital.	Per ct. paid on the average amount of capital.
Independent Banks....	\$376,170 00	\$314,178 00	\$3,278 09	\$10 43	\$1 04 3
State Bank.....	1,496,757 44	1,192,569 00	9,118 82	7 65	76 5
Total of New Banks..	\$1,872,927 44	\$1,506,747 00	\$12,396 91	\$8 22	82 2
Old Banks .....	3,953,750 00	3,953,950 00	16,271 97	4 12	41 2
Total of all the Banks	\$5,826,677 44	\$5,460,697 00	\$28,668 88	\$5 25	52 5



It appears by the returns of the township and district assessors, that the real value of the taxable property of the State, now upon the grand list, exceeds four hundred and three millions of dollars, upon which a tax equal to six mills and one third of a mill upon the dollar, of its actual value, is assessed for 1846. The total taxes of the year 1847, for all purposes, will not exceed six mills on the dollar. It is thus shown that the independent banks, and branches of the State bank, pay an average of eight mills on the dollar of their capital; and that six and one third mills are paid this year, and that only six mills will be paid hereafter upon all other property.

It will be seen that the old banks pay less upon their capital than the new banks. One reason of this is, that they were released by the Legislature from the payment of an equal proportion of the taxes, with the other banks. By the act of 14th March, 1836, to prohibit the circulation of small bills, a proposition was made by the State to these banks, to release them from the liability to pay more than five per cent. on their dividends, upon the condition that they would relinquish the right to issue small bills. This proposition was accepted by most of the old banks, and they are, consequently, exempted from the payment of more than five per cent. upon their dividends.

The real property of the State has been fairly valued and equalized among the several counties of the State. It was regretted, during the progress of the assessment, that more time had not been allowed for the completion of the work. Greater accuracy would have been obtained if longer time had been given; but the laborious industry of the district assessors and county auditors enabled them, in every county, to have their work completed in time for the action of the State Board of Equalization.

The following statement exhibits the relative value of the real property of the State, upon the grand list of 1846, and as established by the State Board:

*Duplicates of 1846.*

No. of Acres.	Value per Acre.	Value of Lands.	Value of Towns and Cities.	Total Value of Real Property.
	D. C. M.	DOLLARS.	DOLLARS.	DOLLARS.
23,262,392	3 71 9	86,534,721	23,405,915	109,440,636
<i>Valuation of 1846.</i>				
23,436,062	11 05 5	259,093,635	65,302,373	324,396,008

Several tables are appended to this report, which have been prepared with care, and which, it is believed, contain valuable information relative to the taxable property and revenues of the State, and the operation of the former and present tax laws.

The principle of the law, which requires all property not specially exempted to be placed on the duplicate for taxation at its true value, has been approved by the people of the State generally. If it is deemed expedient to make any change in the law which will affect the relative value of the different classes or kinds of property, let it be done by bringing all manufactured articles upon the duplicate, and by requiring all credits which have run over six months to be taxed; and not by the reduction of land, or any other property, below its actual value.

It will appear, by a careful examination of the facts, that the personal property, which is placed upon the duplicate, will stand as high, in proportion to its true value, as real property; and that no change can be made in the relative values of the different species of property, as determined under the law, without doing injustice to the owners of one class or the other.

A table is given in the Appendix showing the amount of taxes levied in 1843 '44, '45 and '46, and the estimated amount which will be assessed for 1847, upon the different classes of property.

Any further provision which may be made, for bringing upon the duplicate any portion of personal property which now escapes taxation, or is exempted, will be in accordance with the principle of the law, and will operate in favor of other classes of property. But any reduction from the true value of the property, real or personal, which is placed upon the grand list, would destroy its intrinsic equity, and be just cause of complaint and opposition.

The propriety of exempting all persons from taxation who have not property of any kind, moneys, or credits, to the amount of fifty dollars, is submitted for your consideration. The entry of small sums upon the duplicate frequently costs more than the amount of the taxes. It is believed that such a provision would be advantageous as a matter of economy.

The 18th section of the act to provide for the revaluation of real property in this State, passed 13th March, 1840, (Swan's Stat., 906) provides that the county commissioners, county auditor and county assessor shall constitute a County Board of Equalization; and that they shall meet on the first Monday of June, annually, for the purpose of hearing complaints and equalizing the assessments and revaluation of all real and personal property within their county. This section is believed to be still in force; but it is necessary that it should be amended, and that more full and definite powers should be given to the Board.

At the time this section was passed there was but one assessor for the county. The township assessors are not members of the Board. It would seem, therefore, to be proper to supply the place of the county assessor by the county surveyor, or by some other person, if it is believed that the addition of the township assessors would make the Board too numerous and expensive.

It may be doubted whether the County Board has the power to change the relative value of the lands or towns, or of any township, section, survey or lot, within the county, as established by the State

Board of Equalization. It is necessary that the County Boards should have this power; or that a special Board should be convened for the purpose of perfecting the equalization within the several counties.

In some of the counties in which great inequalities existed between the different townships, or parts of the county, and between the towns and lands, no change whatever was made by the Special County Board which met in August last. In almost every county, justice requires that a more perfect equalization should be made. This can be effected without reducing the aggregate value of the county, as established by the State Board of Equalization.

The laws prescribing the duties of county commissioners and township trustees, and in many cases the duties of corporation officers, authorize them to levy taxes, not exceeding certain rates per cent., upon the list of taxable property in the counties, townships and corporations. The law of last session provided that the county commissioners and township trustees should levy a specific sum, not exceeding the amount which they would have been authorized to levy under previous laws. This provision was necessary; as it was not then known, with sufficient certainty, what amount would be brought by the new law upon the duplicates. As the valuation of both real and personal property is now known, it will be much more convenient to fix a certain per cent. as the maximum which may be levied by county and township officers, and corporations.

The 63d section of the tax law, as originally reported, applied only to district assessors and members of the County and State Boards of Equalization. In the subsequent modifications of the bill the township assessors were required to make the assessment of personal property for 1846; but no change was made in this section, which, consequently, includes township assessors. It is suggested that it would be proper to re-enact the seventh section of the act to create the office of township assessor, making such addition to the compensation allowed to township assessors, by that section, as may be reasonable.

By the 34th section of the tax law, township assessors are required to return their assessment to the county auditor on or before the tenth day of June, annually. The County Board of Equalization is required to meet on the first Monday of June.

The necessity of modifying the section which provides for the organization of the County Board of Equalization, and of more clearly defining the powers and duties of the Board, is therefore apparent; and such amendments will doubtless be made as the circumstances require.

The county auditor or County Board of Equalization should have power to increase the amount of personal property, or moneys and credits, returned by the owners or by township assessors, in cases where the auditor or Board is satisfied, upon proper evidence, that an erroneous or false return has been made. It is deemed important that this authority should be given to some proper tribunal; as many cases have occurred in which it was known that false returns had

been made, and there appears to be no power given to the county auditor, or any other officer, to correct them.

The provisions of the law which made it the duty of township assessors to require every person to take and subscribe an oath or affirmation, to the truth of his statement, was not, it is believed, fully carried into effect by some township assessors. Efforts will be made to ascertain the assessors who neglected to perform their duty in this respect, and prosecutions will be commenced against such as may be found to have neglected the duties enjoined upon them by the law.

The cost of assessing the personal property by the township assessors was, in many counties, much greater than was necessary. This originated, in part, from the erroneous opinion of the assessors that they could not receive the statements of the individuals to whom they delivered the notices without calling on them a second time. In many cases allowances were made for a greater number of days than should have been occupied in making the assessment; and in some counties the highest sum allowed by the statute was paid to township assessors. It may be necessary to prevent the recurrence of these errors by proper legal restrictions. The re-enactment of the seventh section of the act to create the office of township assessor would, in part, effect this object.

The form of the duplicate, and the manner of assessing the taxes thereon, may be much improved and the labor and expenses greatly reduced, by proper legislative provisions. It is not necessary that the duplicate delivered to the treasurer should be a complete copy of the original retained by the county auditor. A summary or abridgement, so far as it relates to the description of the property, real and personal, is all that should be required. The total amount of personal property, merchants' and manufacturers' stock, and moneys and credits, should be placed in one column, and the taxes assessed should all be included in one column. It is useless to require the state taxes, county taxes, and township taxes to be calculated separately, and placed in several columns. The auditor of State should be authorized to prescribe the form of the duplicates, and the manner of entering the taxes thereon. And county auditors should be required to transmit to the Auditor of State such abstracts, copies and reports as he may require.

The Auditor of State is required to levy the State tax, on or before the fifteenth day of July, annually; and the 23d section of the act prescribing the duties of county auditors, requires them to deliver the duplicates to the county treasurers, on or before the 15th day of August. This does not give county auditors sufficient time to complete the duplicates. The time for delivering the duplicates should be extended to the 15th of September. Very little money is collected by the treasurers before the first of October.

A copy of the returns of the district assessors to the county auditors, should be made out for this office; as frequent reference to the descriptions of the several tracts of land, entered for taxation, is necessary.

The operation of the new law, and its various details, will hereafter be much better understood by our citizens, and the officers whose duty it is to carry it into execution. It is believed that the amount of personal property, moneys and credits will be more fully returned, and that the expenses of making the assessment of personal property will in future be very much reduced.

The following estimates of the receipts and expenditures of the current year, present the finances of the State in a more favorable aspect than they have exhibited for many years. Care has been taken not to over-estimate the receipts, nor to reduce the expenditures below the sum necessary for the current disbursements of the State.

In the estimates of the receipts, the only particular which depends, to any extent, upon contingencies is that of canal tolls. With an average crop next season there is good reason to believe that the tolls upon our canals will not be less than seven hundred and fifty thousand dollars; but to avoid all danger of over estimating the amount, it is put at seven hundred thousand dollars. The other items are based upon the assessment of the tax upon the duplicates now in the hands of the county treasurers, and on returns, which show that they can hardly fall below the sum stated.

#### ESTIMATES FOR 1847.

##### ESTIMATED RECEIPTS.

Proceeds of tax levied, being 8 mills on the dollar of the grand list of \$150,293,132—amount which will be collected and paid by county Treasurers into the State Treasury for taxes of 1846, including arrearages and forfeitures-----	\$1,150,000 00
Taxes paid into the Treasury through Auditor's office-----	20,000 00
Tax paid by lawyers and physicians-----	\$4,500 00
Tax paid for peddlers' licenses-----	4,000 00
Auction duties-----	4,000 00
	<hr/>
State tax upon joint stock companies, being 17 mills on the dollar-----	12,500 00
	<hr/>
Tax upon banks and insurance companies-----	10,000 00
Surplus Revenue 5 per cent interest payable by counties-----	35,000 00
	<hr/>
Tolls upon State canals-----	84,500 00
Turnpike dividends-----	700,000 00
Sale of canal lands, and incidental items-----	30,000 00
	<hr/>
Sale of canal lands, and incidental items-----	15,000 00
	<hr/>
Total amount of estimated receipts for the year 1847,	<u><u>\$2,057,000 00</u></u>

## ESTIMATED EXPENDITURES.

Expenses of State Government, Asylums and appropriations for claims and incidental objects-----	\$200,000 00
State Common School Fund-----	200,000 00
Interest on School and Trust Funds-----	88,960 90
Sinking Fund-----	25,000 00
Interest on domestic bonds-----	45,908 15
Interest on foreign debt payable in New York city--	1,027,356 95
Exchange expenses and interest on temporary debt--	30,000 00
Repairs and superintendence of canals-----	275,000 00
<b>Total amount of estimated expenditures of 1847----</b>	<b>\$1,892,226 00</b>
<b>Estimated balance of receipts over expenditures of 1847-----</b>	<b>\$164,774 00</b>

The payments which will be made into the State Treasury, on account of school section 16, and other trust funds, are not included in this estimate. Whatever amount is received from these sources will be immediately invested in the sinking fund, as required by law. No addition will, therefore, be made to the State debt, whatever may be the amount of these funds paid into the Treasury.

The amount of Surplus Revenue received at the Treasury, after the redemption of the turnpike bonds which are outstanding, will be used in the purchase of our seven per cent. stock, for the redemption of which it is pledged, or invested in such funds as will make it available for that purpose.

The sums receivable from these sources are, therefore, properly left out of the estimate of the ordinary sources of revenue belonging to the State.

It will be seen that the amount of funds now in the Treasury for payment of turnpike bonds, with the sum which will be received before the first of May next, will be sufficient to pay the whole of these bonds which are outstanding. The fund in the Treasury, applicable to the payment of Wabash and Erie Canal land bonds, will be sufficient to take up the small balance of these bonds which are still unredeemed. Due notice will be given of the time when payment will be made, and when the interest will stop on the bonds which shall not be presented for payment.

The whole of the Surplus Revenue, after the redemption of the turnpike bonds which are outstanding, is pledged for the payment of the loan of one million five hundred thousand dollars of seven per cent. stock, which becomes due and payable in 1850. The most vigorous measures should be adopted by the county auditors and treasurers to collect the amount of this fund, which has been loaned to the several counties. It is not supposed that further legislation upon this subject is necessary at present.

The amount of State tax which it will be necessary to levy for the year 1847 for all purposes, will not exceed three mills on the dollar.

A tax of this amount will yield a revenue of more than one million one hundred and fifty thousand dollars. This, with the aid of our canal tolls and turnpike dividends, will be sufficient for the payment of the current expenses of the State, and the fulfillment of all her obligations, and will leave a surplus of more than one hundred thousand dollars, applicable to the liquidation of the temporary debt which has for several years past so injuriously affected her credit. The precise sum which will be required, cannot at present be determined. Much will depend upon the condition of our affairs in July next, when the State tax will be levied. If our canals remain in successful operation, with the promise of a good crop, the State tax will not probably exceed two mills and three-fourths of a mill on the dollar.

The whole tax which will be assessed on the grand list will not exceed six mills on the dollar, if proper economy is observed in the management of county and township finances. Whatever may be the condition of our affairs, the people of the State may be assured that the tax levied will, so far as it depends upon this office, be sufficient to meet all the claims upon the revenues of the State, to preserve her faith and credit unimpaired, and at the same time to add as large a sum as the law authorizes to the Sinking Fund, for the payment of the principal of the State debt.

The present condition of our finances furnishes cause to every citizen for congratulation. After passing through a series of years, in which large deficits were annually added to the existing debt, an equitable and just system of taxation has been adopted, and sanctioned by the people, which will bring into the State Treasury means commensurate with the demands upon the State, without oppressing any of our citizens, while each will feel, in paying the assessment upon his property, that he is contributing to the general fund nothing more than his just proportion.

## GENERAL REVENUE.

*A detailed statement of the receipts and disbursements of the General Revenue during the year ending 15th November, 1846.*

### RECEIPTS.

Amount of tax collected and paid into the State Treasury by the county treasurers, during the year ending 15th November, 1846, being proceeds of seven mills on the dollar of the grand list, including arrears and forfeitures-----	\$964,486 05
Taxes paid through State Auditor's office-----	24,662 12
Taxes paid by lawyers and physicians-----	\$4,909 21
Taxes paid for peddlers' licenses-----	4,791 67
Taxes paid for auction duties-----	4,018 09
	<hr/>
	13,718 97
Taxes paid by stage companies-----	735 01
Taxes paid by brokers-----	359 24

Expenses of independent banks repaid to Treasury--	5,492 28
Costs of State prosecutions paid by Monroe county--	38 00

Total amount paid into the Treasury during the year  
ending 15th of November, 1846, carried to General  
Revenue account-----\$1,009,431 67

Amount transferred from the General Revenue ac-  
count to the proper funds, viz:

To the Canal Fund in the Department of Public Works, being the proportion of canal taxes collected -----	\$765,406 34
Common School Fund, being the propor- tion of taxes collected belonging to Common School Fund-----	69,582 39
Taxes collected from lawyers and physi- cians, peddlers' licenses and auction du- ties, (exclusive of auction duties col- lected in Hamilton county,) transferred to School Fund-----	10,821 32

Total amount transferred from General Revenue ---- 845,810 05

Balance, being amount of General Revenue proper, received during the year ending 15th Nov., 1846--	\$163,621 62
Error in transfer from School Fund section 16, in 1839, as per Treasurer's report of 14th January, 1846, Document 32-----	166 36
Balance in the Treasury on 15th Nov., 1845-----	86,142 62

Amount applicable to the service of the year 1846 --	\$249,930 60
Amount of bills redeemed at the Treasury during the year ending 15th November, 1846-----	192,701 59
Balance in the Treasury on the 15th Nov., 1846 ----	\$57,229 01

#### DISBURSEMENTS.

Amount of bills drawn upon the Treasury for the payment of ap-  
propriations made by law for the purposes specified.

For Ohio Legislature-----	\$25,496 02
State officers-----	7,000 25
Judicial officers-----	24,434 33
Board of Public Works-----	2,782 50
State Printer-----	12,032 91
Adjutant and Quartermaster Generals, and Brig- ade Inspector-----	1,117 68



Contingent Fund for Governor-----	\$4,224 03
“ “ Auditor-----	4,860 44
“ “ Treasurer-----	1,568 37
“ “ Secretary-----	1,014 77
Stationery for the State-----	4,511 67
Taxes refunded-----	2,067 76
Treasurer's mileage-----	1,276 67
Acting Fund Commissioner-----	698 97
Secretary to Fund Commissioners-----	407 96
Appropriations for wood-----	382 54
Deaf and Dumb Asylum-----	13,547 65
Lunatic Asylum-----	29,060 00
Institution for the Blind-----	11,475 00
Postage for Ohio Legislature-----	2,175 15
Warden of Ohio Penitentiary-----	800 00
Physician to Ohio Penitentiary-----	382 25
Wolf scalps-----	703 00
Courts martial-----	136 06
Public arms-----	1,940 54
Laws and Journals-----	724 85
Ohio State Library-----	489 91
Claims, being special appropriations-----	2,715 69
Prosecutions for the State-----	18 34
Superintendent of Common Schools-----	300 00
Special Commissioners-----	5,309 17
Ohio Banks-----	144 24
Ohio Penitentiary-----	15,414 91
Counties-----	14,090 74
Witnesses and Clerks-----	1 15
Redemption Fund-----	18 44

Total amount of bills drawn upon the Treasury during  
the year ending 15th November, 1846----- \$193,323 56

Amount of bills issued prior to the year ending 15th  
November, 1845, which were then outstanding---- 158 76

Amount of bills issued during the year ending 15th  
November, 1845, which were then outstanding---- 1,989 76

Total amount of bills outstanding 15th Nov., 1845--- \$2,148 52

195,472 08

Amount of bills redeemed during the year ending 15th  
November, 1846----- 192,701 59

Balance, being bills unredeemed 15th November, 1846, \$2,770 49

The general revenue received and applicable to the ordinary ex-  
penses of the State Government amounted, as shown in the above

statement, to \$163,787 98, making, with the balance in the Treasury on the 15th November, 1845, \$249,930 60. The disbursements from this fund, in payment of the various appropriations made by the Legislature, amounted to \$192,701 59, leaving in the Treasury a balance of \$57,229 01—the sum expended during the year being \$29,079 97 more than the receipts. In the last annual report it was estimated that the deficit in the receipts would be \$29,000.

The balance of this fund in the Treasury, with the sum levied this year, will be more than sufficient to meet all the ordinary expenditures of the State, and will render any increase of taxation for this purpose unnecessary.

### SCHOOL AND TRUST FUNDS.

Statement of the several school and trust funds of the State, showing the amount of irreducible stock belonging to the several districts; the amount paid into the treasury; the amount paid to the several districts; and the amount of Common School Fund received and paid out during the year ending the 15th November, 1846.

#### *Virginia Military School Fund.*

Amount of said fund loaned to the Fund Commissioners, prior to the 15th November, 1845-----	\$135,018 82 7
Amount paid in by the register during the year----	15 13 0
Total amount loaned to Fund Commissioners-----	<u>\$135,033 95 7</u>
Amount of interest accruing on said fund up to January 1, 1846-----	\$8,041 96 8
Balance of interest in the treasury, Nov. 15, 1845--	3,822 76 0
Amount of rents paid by the register during the year	3,805 27 0
Total amount of interest and rents-----	<u>\$15,469 99 8</u>
Amount paid out during the year-----	11,864 71 5
Balance remaining in the treasury, Nov. 15, 1846	<u>\$3,605 28 3</u>

#### *United States Military School Fund.*

Amount of said fund loaned to the Fund Commissioners prior to the 15th Nov., 1845-----	\$119,173 05 2
Amount paid by the register and treasurer during the year ending Nov. 15, 1846-----	696 04 0
Total amount loaned to Fund Commissioners-----	<u>\$119,871 09 2</u>
Amount of interest accruing on said fund up to January 1, 1846-----	\$7,150 06 0
Amount paid out during the year-----	<u>7,150 06 0</u>

*Connecticut Western Reserve School Fund.*

Amount of said fund loaned to the Fund Commissioners prior to the 15th Nov., 1845-----	<u>\$158,659 00 8</u>
Amount of interest accruing on said fund up to January 1, 1846-----	<u>\$9,519 54 0</u>
Amount paid out during the year ending Nov. 15--	<u>9,519 54 0</u>

*School Section No. 16.*

Amount of said fund loaned to the Fund Commissioners prior to the 15th Nov., 1845-----	<u>\$977,274 70 4</u>
Amount paid by county treasurers during the year--	<u>22,688 54 0</u>
Total amount loaned to Fund Commissioners-----	<u>\$999,963 24 4</u>
Amount of interest accruing on said fund up to January 1, 1846-----	<u>\$58,464 12 8</u>
Amount paid out during the year ending Nov. 15--	<u>58,464 12 8</u>

*Moravian School Fund.*

Amount of said fund loaned to the Fund Commissioners prior to the 15th Nov., 1845-----	<u>\$1,049 82 2</u>
Amount of interest accruing on said fund up to January 1, 1846-----	<u>\$60 57 0</u>
Amount paid out during the year ending Nov. 15--	<u>60 57 0</u>

*Ministerial Section No. 29.*

Amount of said fund loaned to the Fund Commissioners prior to the 15th Nov., 1845-----	<u>\$22,744 68 1</u>
Amount paid by county treasurers during the year--	<u>4,157 18 0</u>
Total amount loaned to Fund Commissioners-----	<u>\$26,901 86 1</u>
Amount of interest accruing on said fund up to January 1, 1846-----	<u>\$1,334 87 0</u>
Amount paid out during the year ending Nov. 15--	<u>1,334 87 0</u>

*Ohio University Fund.*

Amount of said fund loaned to the Fund Commissioners prior to the 15th Nov., 1845-----	\$1,897 39 0
Amount of interest accruing on said fund up to July 1, 1846-----	\$113 84 0
Amount paid out during the year ending Nov. 15--	56 92 0
Balance remaining in the treasury-----	56 92 0

*State Common School Fund.*

Balance in the treasury, Nov. 15, 1846-----	\$31,775 56 5
Tax of $\frac{1}{4}$ a mill on the dollar, levied on the grand list, and paid in by county treasurers-----	68,891 86 0
Amount paid through Auditor's office-----	690 53 0
Auction duties-----	1,120 44 0
Peddler's licenses-----	4,791 67 0
Tax on lawyers and physicians-----	4,909 21 0
Tax on Insurance and Bridge companies-----	923 62 0
Tax on Banks-----	27,920 53 0
Surplus Revenue, interest at 5 per cent.-----	91,268 81 6
	\$232,292 24 1
Amount paid to counties during the year, including over payment of \$100 05 to Perry county-----	\$200,001 00 5
Balance in the treasury, Nov 15, 1846-----	\$32,291 23 6

## RECAPITULATION.

*Irreducible Funds.*

Virginia Military School Fund-----	\$135,033 95 7
United States Military School Fund-----	119,871 09 2
Connecticut Western Reserve School Fund-----	158,659 00 8
Common School Fund, salt lands-----	39,306 31 2
School section No. 16-----	999,963 24 4
Moravian School Fund-----	1,049 82 2
Ministerial section No. 29-----	26,901 86 1
Ohio University Fund-----	1,897 39 0
Total amount of irreducible School and Trust Funds loaned to Fund Commissioners, and constituting part of the State debt-----	\$1,482,682 68 6

School and Trust Funds distributed during the year to the several districts, being interest on the irreducible Fund:

Virginia Military School Fund-----	11,864 71 5
United States Military School Fund-----	7,150 06 0
Connecticut Western Reserve School Fund-----	9,519 54 0
School section No. 16 Fund-----	58,464 12 3
Moravian School Fund-----	60 57 0
	<hr/>
Ministerial section No. 29 Fund-----	\$87,059 00 8
Ohio University Fund-----	1,334 87 0
Amount of Common School Fund paid to the several counties of the State-----	56 92 0
	<hr/>
Total amount distributed and paid to the several districts and counties in the State during the year ending 15th Nov., 1846-----	200,001 00 5
	<hr/>
	\$288,450 80 3

#### SURPLUS REVENUE ACCOUNT.

Amount of Surplus Revenue received by the State of Ohio from the Treasurer of the United States, being the first three installments under the act of Congress of June 23, 1836-----	\$2,007,260 34
	<hr/>
Amount paid to the Fund Commissioners of the several counties, and remaining in their hands on the 15th November, 1846-----	1,677,152 34
Amount in the hands of the Canal Fund Commissioners, being the amount loaned to them under the provisions of the act for the distribution and investment of the State's proportion of the Surplus Revenue, including \$27,716 58 paid by Trumbull county ----	57,117 37
In addition to the sum loaned to the Fund Commissioners, as above, the sum of \$26,734 71 has been loaned by the counties to the Fund Commissioners, the receipts for which will be paid in as cash, under the provisions of the act of the 13th March, 1843.	
Principal of Surplus Revenue paid into the State Treasury under the act of 13th March, 1843, for the redemption of Turnpike Bonds, prior to the 15th Nov., 1845-----	\$173,994 21
Principal paid in during the year-----	98,996 42
	<hr/>
	\$2,007,260 34

Amount paid into the Treasury as above, stated for redemption of Turnpike bonds -----	\$272,990 93
Turnpike Bonds redeemed prior to 15th Nov. 1845 -----	\$146,954 11
Turnpike Bonds redeemed during the year ending Nov. 15, 1846 -----	67,476 46
Amount of Turnpike Bonds redeemed -----	<u>\$14,430 57</u>
Balance of Surplus Revenue remaining in the Treasury for redemption of Turnpike Bonds, and transferred to books of Department of Public Works -----	<u>\$58,569 36</u>

## FIVE PER CENT. INTEREST FUND.

Amount of 5 per cent. interest received from the counties, upon Surplus Revenue, during the year ending Nov. 15, 1846 -----	\$91,666 72 6
Amount received from Crawford and Erie counties during the year 1845, and transferred from One Per Cent. Fund -----	600 09 0
Amount transferred to Common School Fund ---	<u><u>\$91,266 81 6</u></u>

## SURPLUS REVENUE INTEREST FUND.

Balance in the treasury 15th Nov. 1845 -----	\$7 08 1
Received from Fund Commissioners for payment of interest to counties upon sums borrowed by them, and principal repaid, under the act of 13th March, 1843 -----	3,558 27 3
Received from county treasurers one per cent. upon amount retained by counties over their proportion upon the reapportionment of the fund -----	266 76 0
	<u>\$3,832 11 4</u>
Paid county treasurers for one per cent. upon principal repaid; and six per cent upon principal loaned to Fund Commissioners of State -----	3,925 03 0
Balance in the treasury 15th Nov., 1846 -----	<u><u>\$7 08 1</u></u>

When the \$600 09 is transferred on the books of the treasurer from the One Per Cent. Fund to Common School Fund, the accounts in Treasurer's office will correspond with the above.

## NATIONAL ROAD FUND.

Balance of tolls in the treasury on the 15th Nov., 1845-	\$5,547 35
Amount of tolls received during the year, ending 15th November, 1846-----	28,946 21
Bonds issued under act of 2d March, 1846, for payment of work on National Road prior to 1st April, 1845, performed under direction of former Board of Public Works, and their agents-----	33,900 73
	<hr/> \$68,394 29
Paid out for repairs during the year, ending 15th Nov., 1846-----	24,347 60
Bonds paid for work performed prior to 15th Nov., 1845-	33,158 63
	<hr/> \$57,506 23
Balance in the treasury on the 15th Nov., 1846, including \$742 10 in bonds-----	<hr/> \$10,888 06
Amount of tolls charged to Neil, Moore & Co. during the year ending 15th Nov., 1846, which is to be credited on their claim against the State -----	<hr/> \$3,856 58

## THREE PER CENT. FUND

Balance remaining in the treasury on the 15th Nov., 1846, \$195 63

Nothing has been received from the United States, on account of this fund, since the year, 1841.

## APPROPRIATIONS AND EXPENDITURES.

Statement of the appropriations for the year ending 15th November, 1846, including balances of former appropriations; and of the payment of the several appropriations by bills drawn upon the treasury; and showing the balances unexpended on the 15th Nov., 1846,

*Ohio Legislature.*

Balance Nov. 15, 1845, of former appropriation -----	\$9,472 68
Amount appropriated for 1846-----	20,000 00
	<hr/> \$29,472 68
Paid out during the year ending Nov. 15, 1846-----	25,496 02
Balance of appropriations unexpended-----	<hr/> \$3,976 66

*State Officers.*

Balance Nov. 15, 1845-----	\$366 16
Amount appropriated for 1846-----	8,000 00
	<hr/>
	\$8,366 16
Paid out during the year ending Nov. 15, 1846-----	7,000 25
	<hr/>
Balance of appropriation unexpended-----	<u>\$1,365 91</u>

*Judicial Officers.*

Balance Nov. 15, 1845-----	\$925 40
Amount appropriated for 1846-----	26,000 00
	<hr/>
	\$26,925 40
Paid out during the year ending Nov. 15, 1846-----	24,434 33
	<hr/>
Balance of appropriations unexpended-----	<u>\$2,491 07</u>

*Board of Public Works.*

Balance Nov. 15, 1845-----	\$1,260 97
Amount appropriated for 1846-----	3,000 00
	<hr/>
	\$4,260 97
Paid out during the year ending Nov. 15, 1846-----	2,782 50
	<hr/>
Balance of appropriation unexpended-----	<u>\$1,478 47</u>

*State Printer.*

Balance Nov. 15, 1845, of former appropriations-----	\$4,404 81
Amount appropriated for 1846-----	12,000 00
	<hr/>
	16,404 81
Paid out during the year ending Nov. 15, 1846, viz.:	
To Charles Scott & Co., printing for the Legislature	
and Laws-----	10,908 73
To Jonathan Phillips, Ohio Reports-----	1,124 18
	<hr/>
	12,032 91
Balance of appropriation unexpended-----	<u>\$4,371 90</u>



*Adjutant and Quartermaster Generals.*

Balance Nov. 15, 1845-----	\$956 35
Amount appropriated for 1846, being part of the sum appropriated for public arms, and for expenses of office rent and stationery for the Adjutant and Quartermaster Generals-----	161 33
	<hr/> 1,117 68
Paid out during the year ending Nov. 15, 1846, viz:	
To Quartermaster General-----	367 40
Adjutant General-----	710 28
Brigade Inspector-----	40 00
	<hr/> \$1,117 68

*Contingent Fund for Governor.*

Balance Nov. 15, 1845-----	\$2,658 15
Amount appropriated for 1846-----	3,000 00
	<hr/> 5,658 15
Paid out during the year ending Nov. 15, 1846-----	4,224 03
	<hr/> Balance of appropriation unexpended-----
	<hr/> \$1,434 12

*Contingent Fund for Auditor.*

Balance Nov. 15, 1845-----	\$694 89
Amount appropriated for 1846-----	5,000 00
	<hr/> 5,694 89
Paid out during the year ending Nov. 15, 1846-----	4,860 04
	<hr/> Balance of appropriation unexpended-----
	<hr/> \$834 85

*Contingent Fund for Treasurer.*

Balance Nov. 15, 1845-----	\$475 04
Amount of appropriation for 1846-----	1,500 00
	<hr/> 1,975 04
Paid out during the year ending Nov. 15, 1846-----	1,568 37
	<hr/> Balance of appropriation unexpended-----
	<hr/> \$406 67

*Contingent Fund for Secretary.*

Balance Nov. 15, 1845-----	\$1,643 58
Paid out during the year ending Nov. 15, 1846-----	1,014 77
Balance of appropriation unexpended-----	<u>\$628 81</u>

*Stationery for the State.*

Amount of two appropriations for 1846-----	\$13,000 00
Amount overdrawn during the year ending Nov. 15, 1845-----	2,072 26
Paid out during the year ending Nov. 15, 1846-----	4,511 67
	<u>6,583 93.</u>
Balance of appropriation unexpended-----	<u>\$6,416 07</u>

*Taxes Refunded.*

Balance Nov. 15, 1845-----	\$220 28
Amount of appropriation for 1846-----	1,200 00
	<u>1,420 28</u>
Paid out during the year ending Nov. 15, 1846-----	2,067 76
Appropriation overdrawn-----	<u>\$647 48</u>

*Treasurer's Mileage.*

Balance Nov. 15, 1845-----	\$1,008 91
Amount appropriated for 1846-----	500 00
	<u>1,508 91</u>
Paid out during the year ending Nov. 15, 1846-----	1,276 67
Balance of appropriation unexpended-----	<u>\$232 24</u>

*Acting Fund Commissioner.*

Balance Nov. 15, 1845-----	\$144 38
Amount appropriated for 1846-----	700 00
	<u>844 38</u>
Paid out during the year ending Nov. 15, 1846-----	698 97
Balance of appropriation unexpended-----	<u>\$145 41</u>

*Secretary to Fund Commissioners.*

Balance Nov. 15, 1845-----	\$351 52
Amount appropriated for 1846-----	500 00
	<hr/>
	851 52
Paid out during the year ending Nov. 15, 1846-----	407 96
	<hr/>
Balance of appropriation unexpended-----	\$443 56
	<hr/>

*Appropriation for Wood.*

Balance Nov. 15, 1845-----	\$547 12
Amount appropriated for 1846-----	500 00
	<hr/>
	1,047 12
Paid out during the year ending Nov. 15, 1846-----	382 54
	<hr/>
Balance of appropriation unexpended-----	\$664 58
	<hr/>

*Deaf and Dumb Asylum.*

Balance Nov. 15, 1845-----	\$150 00
Appropriated under act of March 3, 1834, and 3d of April, 1837, up to 1st of April, 1846-----	2,500 00
Appropriation by act of March 2d, 1846-----	13,500 00
	<hr/>
	16,150 00
Paid out during the year ending Nov. 15, 1846-----	13,547 65
	<hr/>
Balance of appropriation unexpended-----	\$2,602 35
	<hr/>

*Lunatic Asylum.*

Amount appropriated for 1846,-----	\$33,000 00
Paid out during the year ending Nov. 15, 1846,-----	29,060 00
	<hr/>
Balance of appropriation unexpended,-----	\$3,940 00
	<hr/>

*Institution for the Blind.*

Amount appropriated under the act of 10th of March, 1838, up to 1st of April, 1846,-----	\$3,275 00
Amount appropriated for 1846,-----	8,200 00
	<hr/>
	11,475 00
Paid out during the year ending Nov. 15, 1846,-----	\$11,475 00
	<hr/>

*Postage of Ohio Legislature.*

Balance Nov. 15, 1845,-----	\$267 91
Amount appropriated for 1846,-----	2,500 00
	<hr/>
	2,767 91
Paid out during the year ending Nov. 15, 1846,-----	2,175 15
	<hr/>
Balance of appropriation unexpended,-----	\$592 76
	<hr/>

*Warden of Ohio Penitentiary.*

Balance Nov. 15, 1845,-----	\$400 00
Appropriation for 1846,-----	800 00
	<hr/>
	1,200 00
Paid out during the year ending Nov. 15, 1846,-----	800 00
	<hr/>
Balance of appropriation unexpended,-----	\$400 00
	<hr/>

*Physician to Ohio Penitentiary.*

Balance Nov. 15, 1845,-----	\$231 26
Appropriation for 1846,-----	300 00
	<hr/>
	531 26
Paid out during the year ending Nov. 15, 1846,-----	382 25
	<hr/>
Balance of appropriation unexpended,-----	\$149 01
	<hr/>

*Wolf Scalps.*

Balance Nov. 15, 1845,-----	\$1,529 50
Paid out during the year ending Nov. 15, 1846,-----	703 00
	<hr/>
Balance of appropriation unexpended,-----	\$826 50
	<hr/>

*Courts Martial.*

Balance Nov. 15, 1845,-----	\$616 88
Paid out during the year ending Nov. 15, 1846,-----	136 06
	<hr/>
Balance of appropriation unexpended,-----	\$480 32
	<hr/>

*Public Arms.*

Balance Nov. 15, 1846,-----	\$1,138 64
Amount appropriated for 1846, after deducting amount carried to balance Adjutant and Quartermaster Gen- eral's accounts,-----	838 67
	<hr/> 1,977 31
Paid out during the year ending Nov. 15, 1846,-----	1,940 94
	<hr/>
Balance of appropriation unexpended,-----	<u>\$36 77</u>

*Laws and Journals.*

Balance Nov. 15, 1845,-----	\$160 88
Appropriation for 1846,-----	1,000 00
	<hr/> 1,160 88
Paid out during the year ending Nov. 15, 1846,-----	724 85
	<hr/>
Balance of appropriation unexpended,-----	<u>\$436 03</u>

*Ohio State Library.*

Balance Nov. 15, 1845,-----	\$124 89
Appropriation for 1846,-----	600 00
	<hr/> 724 89
Paid out during the year ending Nov. 15, 1846,-----	489 91
	<hr/>
Balance of appropriation unexpended,-----	<u>\$234 98</u>

*Claims.*

Amount of appropriation for 1846,-----	\$6,975 49
Appropriation of 1845 overdrawn,-----	1 71
Paid out during the year ending, Nov. 15, 1846,-----	2,715 69
	<hr/> 2,717 40
Balance of appropriation unpaid,-----	<u>\$4,258 09</u>

*Prosecutions for the State.*

Balance Nov. 15, 1845,-----	\$501 28
Paid out during the year ending Nov. 15, 1846,-----	18 84
	<hr/>
Balance of appropriations unexpended,-----	<u>\$482 94</u>

*Superintendent of Common Schools,*

Appropriation for 1846,-----	\$400 00
Paid out during the year ending Nov. 15, 1846,-----	300 00
	<hr/>
Balance of appropriation unexpended,-----	\$100 00
	<hr/>

*Special Commissioners.*

Balance Nov. 15, 1845,-----	\$900 00
Amount of appropriation for 1846,-----	5,350 16
	<hr/>
	6,250 16
Paid out during the year ending Nov. 15, 1846,-----	5,309 17
	<hr/>
Balance of appropriation unexpended,-----	\$940 99
	<hr/>

*Ohio Banks.*

Paid out during the year ending Nov. 15, 1845,-----	\$5,298 04
Paid out during 1846-----	144 24
	<hr/>
	5,432 28
Amount received from the independent banks,-----	\$5,432 28
	<hr/>

*Ohio Penitentiary.*

Balance overdrawn 15th Nov., 1846-----	\$16,273 56
Appropriation to cover the balance which had been drawn out of the Treasury for the years 1844 and 1845 over the receipts from the institution,-----	16,273 56
	<hr/>
Appropriation for 1846-----	\$15,000 00
Bills drawn during the year ending Nov. 15, 1846-----	15,414 91
	<hr/>
Overdrawn-----	\$414 91
	<hr/>

*County Taxes.*

Balance in the Treasury Nov. 15, 1845-----	\$7,603 80
Received during the year ending Nov. 15, 1846-----	16,375 71
	<hr/>
	23,979 51
Paid to counties during the year ending Nov. 15, 1846-----	14,090 74
	<hr/>
Balance in the Treasury belonging to the counties---	\$9,888 77
	<hr/>

*Witnesses and Clerks.*

Balance Nov. 15, 1845-----	\$17 75
Paid out during the year ending Nov. 15, 1846-----	1 15
Balance unexpended-----	<u>\$16 60</u>

*Redemption Fund.*

Balance Nov. 15, 1845-----	\$1,465 49
Paid out during the year ending Nov. 15, 1846-----	18 44
Balance unexpended-----	<u>\$1,447 04</u>

*Commercial Hospital and Lunatic Asylum, Cincinnati.*

Amount paid into the State Treasury by Cuyahoga, Darke and Highland counties-----	\$480 00
Amount paid treasurer of Hamilton county for the use of said institution-----	<u>480 00</u>

STATEMENT of the several appropriations made for the year 1846,  
specifying the object of each appropriation, viz :

Ohio Legislature-----	\$20,000 00
State officers-----	8,000 00
Judicial officers-----	28,000 00
Board of Public Works-----	8,000 00
State Printer-----	12,000 00
Adjutant and Quarter-master Generals-----	161 33
Contingent Fund for Governor-----	3,000 00
Contingent Fund for Auditor-----	5,000 00
Contingent Fund for Treasurer-----	1,500 00
Stationary for the State-----	
To pay balance of 1845-----	\$5,000 00
For the year 1846-----	<u>8,000 00</u>
	13,000 00
Taxes refunded-----	1,200 00
Treasurer's mileage-----	500 00
Acting Fund Commissioner-----	700 00
Secretary to Fund Commissioner-----	500 00
Appropriation for wood, for the Legislature and State of- fices-----	<u>500 00</u>
Deaf and Dumb Asylum-----	
Appropriation under act of March 3d, 1834, and 3d April, 1837, up to 1st April, 1846-----	\$2,500 00
By act of March 2d, 1846-----	<u>13,500 00</u>
	16,000 00
Lunatic Asylum-----	<u>23,000 00</u>

**Institution for the Blind—**

Appropriation under act of March 10, 1838, up to 1st April, 1846-----	\$3,275 00	
By act of March 2, 1846-----	8,200 00	
	<u>11,475 00</u>	
Postage of Ohio Legislature-----		2,500 00
Warden of Ohio Penitentiary-----		800 00
Physician to Ohio Penitentiary-----		300 00
Public arms, being proportion of the \$1,000 appropriated for the expenses of Adjutant and Quarter-master Generals and for cleaning and repairing public arms-----		838 67
Laws and Journals-----		1,000 00
Ohio State Library-----		600 00
Claims-----		6,075 49
Superintendent of Common Schools-----		400 00
Special Commissioners-----		
By act of 22d January, 1846-----	\$2,350 16	
By act of 2d March, 1846-----	3,000 00	
	<u>5,350 16</u>	
Ohio Penitentiary-----		15,000 00
Total amount of appropriations for 1846-----		<u>\$189,300 65</u>

**STATEMENT of the balances of the several Funds and appropriations remaining in the treasury on the 15th November, 1846:**

General Revenue-----	\$57,229 01
Common School Fund-----	32,291 23
Virginia Military School Fund-----	3,605 28
National Road Fund-----	10,145 96
Surplus Revenue one per cent-----	7 08
Three per cent Fund-----	195 63
Ohio University Fund-----	56 92
	<u>\$103,531 11</u>

**Balances on the books of the Department of Public Works, viz:**

Tolls on Ohio Canal-----	\$10,000 00
Miami and Miami Extension Canals-----	4,046 41
Wabash and Erie Canal-----	5,335 59
Warren county Canal-----	1,393 31
Expenses of Board of Public Works-----	263 27
Expenses of Fund Commissioners-----	483 43
Sinking Fund-----	31,349 19
Wabash and Erie Canal lands-----	10,139 98
Miami Extension Canal lands-----	7,838 28
Western Reserve and Maumee road tolls-----	10,573 77



Interest on domestic bonds appropriation-----	3,261 96
Surplus Revenue principal-----	58,559 54
National Road bonds-----	742 10
<b>Amount of balances in Department of Public Works-----</b>	<b>143,986 85</b>
<b>Total amount of balances in the Treasury on the 15th</b>	
<b>November, 1846-----</b>	<b>\$247,517 96</b>

## DEPARTMENT OF PUBLIC WORKS.

The following is a statement of the amount of moneys received into the State Treasury through this department; designating the several sources from which it was received; and an account of the expenditures thereof during the fiscal year ending on the 15th day of November, 1846:

Amount of taxes assessed for canal purposes for the year 1845, collected and paid into the State Treasury by the several counties in the State since the 15th of November, 1845-----	\$757,810 40
Canal taxes for the same year, paid through the office of Auditor of State-----	7,595 88

Amount of canal taxes for the year 1845, paid into the State Treasury and credited to the Canal Fund---	\$765,406 34
---	--------------

Statement of tolls received upon the several canals; of payments for contracts, repairs, and awards of damages on said canals; and of the balances remaining, applicable to the payment of interest during the year ending 15th November, 1846:

	Tolls paid into Treasury.	Checks redeemed in 1846.	Balances remaining.
Ohio Canal .....	\$328,016 93.	\$76,557 65	\$251,459 28
Miami and Miami Extension Canal .....	116,666 71	106,265 23	10,401 48
Wabash and Erie Canal .....	110,521 73	16,887 87	93,633 86
Muskingum Improvement .....	34,037 18	29,425 60	4,611 58
Hocking Canal.....	5,145 85	2,939 99	2,155 86
Walhonding Canal.....	1,090 69	1,106 25	
	\$595,479 09	\$233,232 59	\$362,262 06
Deduct excess of payments over receipts on Walhonding Canal			15 56
<b>Balance applicable to the payment of interest.....</b>			<b>\$362,246 50</b>

Statement of dividend of tolls received from turnpike companies, on stock owned by the State in said companies, during the year ending November 15, 1846:

From the Batavia Turnpike and Miami Bridge Company	\$3,076 29
Cincinnati and Harrison Turnpike Company	6,023 50
Cincinnati, Columbus and Wooster Turnpike Company	4,548 00
Cincinnati, Lebanon and Springfield Turnpike Company	1,786 50
Cincinnati, Montgomery and Hopkinsville Turnpike Company	350 58
Colerain, Oxford and Brookville Turnpike Company	4,288 75
Dayton and Springfield Turnpike Company	2,218 00
Dayton, Centerville and Lebanon Turnpike Company	989 00
Dayton Western Turnpike Company	3,695 38
Great Miami Turnpike Company	3,024 27
Hamilton, Springfield and Carthage Turnpike Company	1,580 22
Hamilton, Rossville, Somerville, Newcomb and Eaton Turnpike Company	1,497 72
Milford and Chillicothe Turnpike Company	2,000 00
Ohio Turnpike Company	213 00
Amount of tolls received from turnpike companies	<u>\$35,291 21</u>
Amount of canal tolls and turnpike dividends applicable to the payment of interest	<u>\$997,537 76</u>

Statement of moneys arising from the sale of canal lands belonging to the State of Ohio, during the year ending November 15th, 1846:

*Wabash and Erie Canal Lands.*

Received from James Cunningham, late Receiver of public moneys at Lima	\$454 80
Hamilton Davison, Receiver at Lima	7,587 88
John Webb, Receiver at Perysburg	2,431 94
Amount received for Wabash and Erie Canal lands	<u>\$10,474 62</u>

*Miami Extension Canal Lands.*

Received from James Cunningham, late Receiver at Lima-----	\$756 19
Hamilton Davison, Receiver at Lima-----	10,883 32
Amount received for Miami Extension Canal lands---	11,639 51

*Ohio Canal Lands.*

Received from Hamilton Davison, Receiver at Lima----	49 00
Total amount received for canal lands -----	<u>\$22,163 13</u>

STATEMENT of the amount arising from the sales of School and Ministerial lands, in the year ending November 15, 1846, transferred from School Fund to Canal Fund, viz:

From Section number 16-----	\$22,688 54
Ministerial section number 29-----	4,157 18
Virginia Military School Lands -----	15 13
United States Military School Lands -----	698 04
Amount of School Fund transferred to Canal Fund --	<u>\$27,558 89</u>

Amount arising from Ohio Domestic Stock issued during the year ending November 15, 1846:

There has been issued, under the authority of the "act to provide for paying certain debts on the public works of the State," passed March 2, 1846, Ohio Canal stock, in Domestic Bonds, receivable for Canal, School, and Ministerial land, as reported to this office by the Canal Fund Commissioners -----

\$91,742 00

There has been issued, under the authority of the "act for the settlement of claims for work on the National Road," passed March 2, 1846, *Ohio National Road Stock*, reported to this office by the Canal Fund Commissioners-----

33,900 73

Amount of Domestic Stocks issued during the year--\$125,642 73

*Western Reserve and Mawnee Road.*

Amount of tolls collected on said road from the 31st of October, 1845, until the 1st day of November, 1846 -----	\$8,750 76	
Tolls collected previous to the 1st of Novem- ber, 1845, but not paid into the treasury until after the 15th November, 1845 ----	111 00	\$8,861 76
Deduct amount paid to gate keepers and for repairs and expenses during the year ending Nov. 15, 1846 ----		2,158 59
		<u>\$6,703 17</u>
Amount paid into the State Treasury during the year,		3,415 74
Balance due from Resident Engineer* -----		<u>\$3,287 43</u>
Balance appropriated for repairs, remaining in the treasury Nov. 15, 1845 -----	\$1,053 49	
Balance of tolls remaining in the treasury Nov. 15, 1845 -----	6,104 54	
Amount of tolls paid into the State Treasury during the year ending November 15, 1846, as above -----	3,415 74	
Amount in the treasury, November 15, 1846 -----		<u>\$10,573 77</u>

Receipts into the Treasury from sundry sources, during  
the year ending Nov. 15, 1846, viz :

From Leander Ransom, late Acting Com- missioner of the Board of Public Works,	\$7,152 65	
From William Spencer, late Acting Com.	628 48	
From the Milan Canal Company, under the provisions of the act relating to stock own- ed by the State of Ohio in the Milan Ca- nal Company, passed Feb. 9, 1846 -----	2,500 00	
From Charles B. Goddard, note due Fund Commissioners, collected -----	713 26	
From O. Follett, being money arising from the sale of land under the provisions of the 2d section of "an act to regulate the receipts and disbursements of the Canal Fund," passed March 23, 1840 -----	80 00	
		<u>\$11,074 39</u>

\*The balance due from the Resident Engineer did not reach the Treasury until a few days after the 15th November, consequently could not be entered in the receipts of the current year.

*Surplus Revenue.*

Balance of appropriation from principal of Surplus Revenue in the Treasury on the 15th November, 1845, for payment of turnpike bonds -----	\$12,540 98
Balance of principal of Surplus Revenue in the Treasury on the 15th November, 1845, and since transferred to books of Department of Public Works, for the payment of turnpike bonds -----	14,498 65
Amount of principal of Surplus Revenue received during the year ending November 15, 1846, and transferred to Department of Public Works for payment of turnpike bonds -----	98,996 42
Total amount applicable to the redemption of turnpike bonds -----	\$126,036 00
Amount of turnpike bonds redeemed and cancelled during the year ending November 15, 1846 -----	67,476 46
Balance in the Treasury for the redemption of turnpike bonds, on the 15th November, 1846 -----	58,559 54

STATEMENT of the amounts disbursed at the Treasury on sundry accounts, during the year ending November 15, 1846:

*Redemption of Ohio Domestic Stocks.*

Ohio Turnpike Stock redeemed -----	\$67,476 46
Ohio Canal Stock, in bonds based on the faith and credit of the State -----	13,715 19
Ohio Canal Stock, in bonds receivable for Miami Extension Canal lands -----	3,206 00
Ohio Canal Stock, in bonds receivable for Wabash and Erie Canal lands -----	604 00
Amount of Domestic Bonds redeemed in the year ending November 15, 1846 -----	\$85,001 65

*Contracts, Repairs, and Awards.*

Paid for contracts and repairs, and for awards for damages on the several canals belonging to the State, as per checks of the Acting Commissioners redeemed, viz :

On the Ohio Canal -----	\$76,557 65
Miami and Miami Extension Canals -----	106,265 23
Wabash and Erie Canal -----	16,887 87

On the Muskingum Improvement-----	29,425 60
Hocking Canal-----	2,989 99
Walhonding Canal-----	1,108 25
Amount paid for contracts and repairs, and for damages on the canals-----	<u>\$233,232 59</u>

*Interest paid.*

Amount of interest paid on Domestic Bonds, as per interest certificates redeemed by the Treas.,	\$45,787 42 0
Amount of interest paid for School and Trust Funds, being interest on Irreducible Stock-----	84,884 95 8
Drafts drawn by the Fund Commissioners for the payment of interest on the public debt-----	\$1,240,069 06 0
Amount of interest and expenses paid in the year,	<u>\$1,240,069 06 0</u>

Contingent expenses of the Board of Public Works ---	\$736 73
Expenses of the Fund Commissioners -----	760 62
Paid J. D. Haines, from Miami Ex. Land Fund, \$75 45	
Paid William Blackburn, from Miami Extension Land Fund-----	40 00
	<u>115 45</u>
Paid George B. Arnold, from Wabash and Erie Canal Land Fund -----	451 27
	<u>\$2,064 07</u>

A SYNOPSIS of the state of the several accounts in the Department of Public Works, as they existed on the 15th day of November, 1846:

*Ohio Canal.*

Net amount of tolls, water rent and fines collected and paid into the State Treasury during the year ending Nov. 15. 1846-----	<u>\$328,016 93</u>
--	---------------------

Amount appropriated by the Fund Commissioners, during the year, for the payment of contracts and repairs---	\$86,557 65
Amount appropriated for the payment of interest on public debt -----	241,459 28
	<u>\$328,016 93</u>

Amount appropriated for the payment of contracts and repairs, as above -----	\$86,557 65
Amount paid on checks drawn by Acting Commissioner of the Board of Public Works, for pay of engineers, and lock tenders, and for superintendence and repairs on said work -----	76,557 65
Balance in the Treasury, November 15, 1846 -----	<u>\$10,000 00</u>

*Miami and Miami Extension Canals.*

Net amount of tolls, water rents, and fines collected and paid into the Treasury during the year -----	\$116,666 71
Amount appropriated for the payment of contracts and repairs -----	\$108,125 95
Amount appropriated for the payment of interest on the public debt -----	8,540 76
	<u>116,666 71</u>
Balance of appropriation in the Treasury, November 15th 1845 -----	\$2,185 69
Amount appropriated for the payment of contracts and repairs in 1846, as above -----	108,125 95
	<u>110,311 64</u>
Amount paid on checks drawn by the Acting Commissioners of the Board of Public Works for pay of engineers and lock tenders, and for superintendence and repairs on said work -----	106,265 23
Balance in the Treasury, Nov. 15, 1846 -----	<u>\$4,046 41</u>

*Wabash and Erie Canal.*

Net amount of tolls, water rents, and fines collected and paid into the Treasury during the year -----	\$110,521 73
Amount appropriated for the payment of contracts and repairs -----	\$14,734 90
Amount appropriated for the payment of interest on the public debt -----	95,786 83
	<u>\$110,521 73</u>

Balance of appropriation in the Treasury, November 15th, 1845-----	\$7,488 56	
Amount appropriated for the payment of contracts and repairs in 1846, as above, 14,734 90		\$22,223 46
Amount paid on checks drawn by the Acting Commissioner of the Board of Public Works, for pay of engineer, lock tenders superintendence and repairs on said work-----		16,887 87
Balance in the Treasury Nov. 15th, 1846-----		<u>\$5,335 59</u>

*Muskingum Improvement.*

Net amount of tolls, water rents, and fines collected and paid into the Treasury during the year-----		\$34,037 18
Amount appropriated for the payment of contracts and repairs-----	\$29,425 60	
Amount appropriated for the payment of interest on the public debt-----	4,611 58	\$34,037 18
Amount appropriated for the payment of contracts and repairs, as above,-----		\$29,425 60
Amount paid on the checks of the Acting Commissioner of the Board of Public Works, for superintendence and repairs on said work-----		29,425 60

*Hocking Canal.*

Net amount of tolls, water rents, and fines collected and paid into the State Treasury during the year--		\$5,145 85
Amount appropriated for the payment of contracts and repairs-----	\$2,989 99	
Amount appropriated for the payment of interest on the public debt-----	2,155 86	\$5,145 85
Amount appropriated for the payment of contracts and repairs, as above-----		2,989 99
Amount paid on checks drawn by the Acting Commissioner of the Board of Public Works, for the payment of contracts and repairs on said work-----		<u>\$2,989 99</u>



*Walhonding Canal.*

Net amount of tolls, water rents, and fines collected and paid into the State Treasury during the year-----	\$1,090 69
Amount of drafts drawn on said Fund, by the Fund Commissioners, and appropriated to the payment of contracts and repairs -----	1,106 23
Amount of overdraft, Nov. 15th., 1846 -----	<u>\$15 56</u>
Amount appropriated for the payment of contracts and repairs, as above-----	1,106 23
Amount paid on checks drawn by Acting Commissioner of the Board of Public Works, for the payment of contracts and repairs on said work -----	<u>1,106 23</u>

*Warren County Canal.*

Balance in the Treasury, Nov. 15th, 1845-----	\$1,393 31
The same balance remains in the Treasury, Nov. 15th, 1846 -----	<u>1,393 31</u>

*Contingent Expenses of the Board of Public Works.*

Amount appropriated by the Fund Commissioners----	\$1,000 00
Amount of expenses paid, as per checks redeemed at the Treasury -----	736 73
Balance remaining in the Treasury, Nov. 15th, 1846	<u>\$263 27</u>

*Expense Account of Fund Commissioners.*

Balance in the Treasury, Nov. 15th, 1845-----	\$744 05 5
Amount appropriated in the year ending Nov. 15th, 1846 -----	500 00 0
	1,244 05 5
Amount of accounts for expenses paid at the Treasury,	760 62 0
Balance remaining in the Treasury Nov. 15th, 1846,	<u>\$483 43 5</u>

*Sinking Fund.*

Balance in the Treasury Nov. 15th, 1845-----	\$29,747 50
Amount transferred from Canal Fund by order of Fund Commissioners-----	25,000 00
	<u>54,747 50</u>
Amount drawn from said fund by the Fund Commissioners for the payment of the public debt-----	23,398 31
Balance remaining in the Treasury Nov. 15th, 1846,	<u>\$31,349 19</u>

*Canal Fund.*

Amounts received into the Canal Fund during the year ending Nov. 15th, 1846, viz:

Tolls collected on the several canals and paid into the Treasury during the year ending Nov. 15th, 1846,	\$595,479 09
Taxes for canal purposes for the year 1845-----	765,406 34
Ohio canal stock issued under the authority of the act of March 2d, 1846-----	91,742 00
Dividends received from turnpike companies,-----	35,291 21
School funds received, transferred to Canal Fund----	27,558 89
For Ohio canal lands sold, transferred from that fund,	49 00
From Leander Ransom-----	7,152 65
William Spencer-----	628 48
Milan Canal Company-----	2,500 00
Charles B. Goddard-----	713 26
O. Follett-----	80 00

\$1,526,600 92

Appropriations made by the Fund Commissioners from the Canal Fund, for sundry purposes, viz:

For the payment of contracts and repairs on the several canals-----	\$242,940 34 0
For contingent expenses of the Board of Public Works-----	1,000 00 0
For expenses of Fund Commissioners,	500 00 0
For redemption of Faith and Credit Bonds-----	13,715 19 0
Transferred to Sinking Fund-----	25,000 00 0
Drawn by Fund Commissioners for the payment of interest-----	722,254 72 8
Transferred to Interest Fund-----	518,046 91 2
Overdraft on Hocking Canal tolls, Nov. 15, 1845-----	1,690 17 0
Overdraft on Walhonding Canal tolls, Nov. 15, 1845-----	1,453 58 0
	<u>\$1,526,600 92</u>

*Wabash and Erie Canal Land Fund.*

Balance in the Treasury November 15, 1845-----	\$720 63
Received for Wabash and Erie canal lands sold during the year ending November 15, 1846-----	10,474 62
	<hr/> 11,195 25
Amount appropriated for the redemption of Wabash and Erie canal bonds-----	604 00
Draft on said fund-----	451 27
	<hr/> \$1,055 27
Balance remaining in treasury, Nov. 15, 1846-----	<hr/> <hr/> \$10,139 98

*Miami Extension Canal Land Fund.*

Amount received from sales of Miami Extension canal lands in 1846-----	\$11,639 51
An overdraft on said fund Nov. 15, 1845--	479 78
Appropriated for the redemption of Miami Extension canal land bonds-----	3,206 00
Draft on said fund-----	115 45
	<hr/> 3,801 23
Balance in the treasury, Nov. 15, 1846-----	<hr/> <hr/> \$7,838 28

*Ohio Canal Land Fund.*

Received for sales of Ohio canal lands during the year ending Nov. 15, 1846-----	\$49 00
Transferred to the credit of Canal Fund-----	<hr/> \$49 00

*Interest on Domestic Bonds.*

Balance of appropriation for the payment of interest on Domestic Bonds in the treasury Nov. 15, 1845,	\$2,960 81 0
Amount appropriated in the year ending Nov. 15, 1846,	46,000 00 0
Amount remaining in the treasury, as per special report of the Treasurer of State, dated Jan. 14, 1846, (Documents for 1845-'6, Part 1, No. 32, p. 499)--	88 59 5
	<hr/> 49,049 40 5
Amount of interest paid on Domestic Bonds during the year ending Nov. 15, 1846, as per interest certificates returned to this office-----	45,787 42 0
Balance in the treasury Nov. 15, 1846-----	<hr/> <hr/> \$3,261 98 5

*Account of Joseph Whitehill, Treasurer of State.*

Balance in treasury November 15, 1846-----	\$61,315 98 5
Amount received—	
Canal taxes for the year 1845-----	765,406 34 0
Canal tolls from the several canals-----	595,479 09 0
Turnpike dividends of tolls-----	35,291 21 0
Ohio Canal stock in domestic bonds issued-----	91,742 00 0
National Road stock issued-----	33,900 73 0
From School Fund-----	27,558 89 0
For canal lands sold-----	22,163 13 0
Western Reserve and Maumee road-----	3,415 74 0
Leander Ransom-----	7,152 65 0
William Spencer-----	628 48 0
Milan Canal Company-----	2,500 00 0
Charles B. Goddard-----	713 26 0
O. Follett-----	80 00 0
Surplus Revenue transferred from revenue books-----	113,495 07 0
Balance in treasury for payment of domestic interest,	88 59 5
	<u>\$1,760,931 17 0</u>

Amount paid out—	
For domestic bonds redeemed-----	85,001 65
repairs and contracts on the ca-	
nals,-----	233,232 59
interest on domestic bonds----	45,787 42
interest on public debt-----	1,194,301 63
contingent expenses of Board of	
Public Works-----	736 73
expenses of Fund Commission-	
ers-----	760 63
J. D. Haines-----	75 45
William Blackburn-----	40 00
George B. Arnold-----	451 27
Paid from Sinking Fund-----	23,398 31
National Road bonds paid out-----	33,158 63
	<u>1,616,944 31 0</u>
Balance remaining in the treasury Nov. 15, 1846-	<u>\$143,986 86 0</u>

The several funds included in this balance are stated on page 34.

## STATE DEBT.

Statement of the condition of the State Debt on the 15th Nov., 1846.

*Domestic Bonds.*

Amount of Ohio Canal stock issued in bonds, based on the faith and credit of the State, under the authority of an act to provide for paying the temporary liabilities of the State; the interest on the State debt, and for other purposes, passed March 7, 1842----- \$127,093 47  
 Amount redeemed----- 15,265 19

Amount outstanding on the 15th Nov., 1846 ----- 111,828 28

Ohio Canal stock, issued under the authority of the same law, in bonds, based on the faith and credit of the State, on account of the following works, viz—

For the Muskingum Improvement----- \$25,662 96  
 Hocking Canal----- 10,700 00  
 Walhonding Canal----- 812 13

Amount outstanding on the 15th Nov., 1846 ----- \$37,175 09

Ohio Canal stock, issued under the authority of the same law, in bonds, based on the faith and credit of the State, on account of the Western Reserve and Maumee Road-----

\$300 00

Amount redeemed----- 100 00

Amount outstanding, Nov. 15, 1846----- \$200 00

There has also been issued Ohio Canal stock, in bonds of the same description, to the Warren County Canal Company in lieu of Domestic Scrip surrendered and cancelled, which are outstanding-----

\$11,718 88

Ohio Canal stock, issued under the authority of the same law, in bonds receivable for Wabash and Erie Canal lands-----

\$89,991 00

Amount redeemed----- 78,434 00

Amount outstanding, Nov. 15, 1846 ----- \$11,557 00

Ohio Canal stock, issued under the authority of the same law, in bonds receivable for Miami Extension Canallands-----	\$122,602 19
Amount redeemed-----	<u>27,074 00</u>
Amount outstanding, Nov. 15, 1846-----	<u>\$95,528 19</u>

Miami Extension Canal stock in bonds, based upon the faith and credit of the State, issued under the authority of an act to provide for the completion of that portion of the Miami Canal not under contract, passed Feb. 28, 1843, none of which have been redeemed-----	<u>\$229,400 00</u>
---	---------------------

Miami Extension Canal stock, issued under the authority of the last mentioned law, in bonds receivable for Miami Extension Canal lands, none of which have been redeemed-----	<u>\$94,100 00</u>
---	--------------------

Ohio Turnpike stock, in bonds receivable for Surplus Revenue, issued to turnpike and canal companies, under the authority of an act to provide for the payment of the domestic creditors of the State of Ohio, passed March 13, 1843-----	\$305,317 25
Amount redeemed-----	<u>223,430 57</u>
Balance outstanding, Nov. 15, 1846-----	<u>\$81,886 68</u>

Ohio Canal stock, in bonds receivable for canal, school and ministerial lands, issued under the authority of an act for the paying certain debts on the Public Works of the State, passed March 2, 1846, none of which have been redeemed-----	<u>\$91,742 00</u>
--	--------------------

There has been issued, Ohio National Road stock, under the authority of an act for the settlement and payment of claims for work on National Road, passed March 2, 1846, none of which have been redeemed-----	<u>\$33,900 73</u>
--	--------------------

## RECAPITULATION OF DOMESTIC BONDS.

Description of Bonds.	Am't issued.	Amount redeemed.	Amount outstanding.
Ohio Canal stock Faith and Credit.....	\$127,093 47	\$15,265 19	\$111,828 28
" Muskingum Improvement.....	25,662 96	.....	25,662 96
" Hocking Canal .....	10,700 00	.....	10,700 00
" Walbonding Canal .....	812 13	.....	812 13
" W. Reserve and Maumee Road .....	300 00	100 00	200 00
" Warren County Canal.....	11,718 88	.....	11,718 88
" W. and Erie Canal land bonds..	89,991 00	78,434 00	11,557 00
" Under act of '42 — land bonds..	122,602 19	27,074 00	95,528 19
Miami Extension Canal Stock Faith and Credit bonds .....	229,400 00	.....	229,400 00
Miami Extension Canal Stock, under act of 1843, land bonds.....	94,100 00	.....	94,100 00
Turnpike bonds .....	305,317 25	223,430 57	81,886 68
Canal, school and ministerial land bonds...	91,742 00	.....	91,742 00
National Road bonds.....	33,900 73	.....	33,900 73
Totals.....	\$1,143,340 61	\$344,303 76	\$799,036 85

## IRREDUCIBLE STOCK.

The amount of School and Trust Funds, being moneys arising from the sale of school, ministerial, salt and university lands, which is, by law, permanently loaned to the State and made subject to the order of the Fund Commissioners, paid previous to the 15th day of November, 1846, is as follows, viz :

From School section, number sixteen .....	\$999,963 24 4
From Ministerial section, number twenty-nine .....	26,901 86 1
From Virginia Military school lands .....	135,083 95 7
From United States Military school lands .....	119,871 09 2
From Connecticut Western Reserve school lands--	158,659 00 8
From Moravian lands, denominated Moravian School Fund .....	1,049 82 2
From Salt lands, denominated Common School Fund	39,306 31 2
From Ohio University lands.....	1,897 39 0

School and Trust Fund loaned to Canal Fund --- \$1,482,682 68 6

## FOREIGN DEBT.

Five per cent. stock redeemable in 1850-----	\$400,000 00
Five per cent. stock redeemable in 1860-----	150,000 00
Six per cent. stock redeemable in 1850-----	4,018,658 76
Six per cent. stock redeemable in 1856-----	3,365,779 24
Six per cent. stock redeemable in 1860-----	6,862,781 00
Six per cent. stock redeemable in 1870-----	667,063 50
Seven per cent. stock redeemable in 1850-----	1,500,000 00
Amount of Foreign debt-----	<u>\$16,964,282 50</u>

## RECAPITULATION.

Amount of Foreign debt-----	\$16,964,282 50 0
Amount of domestic bonds outstanding-----	799,036 85 0
Amount of Irreducible Stock loaned from School and Trust Funds-----	1,482,682 68 6
Amount of State debt Nov. 15th, 1846-----	<u>\$19,246,002 03 6</u>

## ANNUAL INTEREST ON STATE DEBT.

Interest on \$550,000 five per cent. stock payable semi-annually, on the first days of January and Ju- ly, in the city of New York-----	\$27,500 00
Interest on the \$14,914,282 50 six per cent. stock payable semi-annually, on the first days of January and July, in the city of New York-----	894,856 95
Interest on \$1,500,000 seven per cent. stock pay- able semi-annually, on the first days of May and November, in the city of New York-----	105,000 00
	<u>\$1,027,356 95</u>
Interest on \$765,136 12 Domestic Bonds payable semi-annually, on the first days of May and Novem- ber, at the State Treasury-----	45,906 17
Interest on \$33,900 73 National Road Bonds payable semi-annually, on the first days of January and July, at the State Treasury-----	2,034 04
Interest on \$1,482,682 68 6 Irreducible Stock pay- able to the School Fund annually, on the first day of January, at the State Treasury-----	88,960 96
Total amount of interest payable on State debt-----	<u>\$1,164,260 12</u>



It will be seen that \$5,918,658 76 of our State debt become payable in 1850. The Surplus Revenue loaned to the counties, will, if paid up promptly, be sufficient to redeem the whole of the million and a half of seven per cent. stock. Circulars have been addressed to the county auditors and treasurers, requesting them to take immediate steps for the collection of such sums as are due for interest and principal.

It is not deemed necessary, at this time, to recommend any measures relative to the payment of the other stocks which will be due in 1850. The effect of our new revenue law will be fully known in another year. The credit of our stock will have become firmly established; and the determination of the people to discharge, at the earliest practicable day, the whole of the State debt, will enable their representatives to adopt such measures as may then be necessary to accomplish so desirable an object.

Respectfully submitted,

JOHN WOODS.

## APPENDIX.

**A TABULAR STATEMENT** exhibiting the number of acres of Land in the several counties; the value thereof, with improvements; the value of Town Lots, with improvements; enumerated and unenumerated Articles; Merchants' and Manufacturers' stock; Money and Credits; total value of Taxable Property; State Taxes; County and Township Taxes; total Taxes for the year 1846; Delinquent Taxes, with the penalty and interest thereon; Taxes on Lawyers and Physicians; Taxes on Joint Stock and other Companies, &c., as entered upon the Duplicates, and returned by the several County Auditors, for the year 1846.

COUNTIES.	Acres.	Value, with Improvements.	Value of Town Lots, with Improvements.	Value of Enumerated, and Non-Enumerated Articles.	Value of Merchants' and Manufacturers' Stock.	Value of Money and Credits.	Total Value of Taxable Property.
Adams -----	252,186	\$657,704	\$35,000	\$148,739	\$45,124	\$102,732	\$1,039,289
Allen -----	284,196	540,551	39,274	93,997	14,968	25,301	714,081
Ashland -----	236,588	864,029	78,844	211,315	41,766	129,383	1,325,237
Ashtabula -----	444,435	1,203,292	44,479	282,074	72,389	114,158	1,716,392
Athens -----	341,041	634,889	131,674	135,025	41,688	72,462	1,015,738
Belmont -----	331,754	1,432,500	180,170	335,603	116,272	300,445	2,364,980
Brown -----	294,037	1,227,686	214,734	223,266	123,422	171,251	1,960,359
Butler -----	288,232	2,894,801	338,720	407,976	218,540	449,039	4,308,976
Carroll -----	249,144	472,355	36,067	171,906	28,981	94,627	803,928
Champaign -----	265,820	1,127,125	158,368	245,899	67,072	172,379	1,770,843
Clark -----	248,675	1,391,742	279,753	281,555	110,813	266,610	2,330,473
Clermont -----	278,317	1,542,887	165,672	300,396	70,676	252,072	2,351,703
Clinton -----	262,146	1,155,155	105,571	211,716	50,820	152,485	1,675,747
Columbiana -----	335,044	1,342,294	274,007	302,315	145,357	256,302	2,320,175
Coshocton -----	347,021	999,332	105,556	210,728	46,378	114,566	1,475,558

Crawford	256,806	698,766	43,183	170,550	30,986	63,611	1,007,126
Cuyahoga	285,225	1,571,328	1,197,311	346,144	318,908	177,591	3,611,552
Darke	873,998	817,781	54,823	143,127	24,098	63,886	1,103,655
Defiance	156,840	367,284	52,963	38,686	17,377	16,118	492,428
Delaware	379,618	1,327,707	198,207	239,695	67,541	97,162	1,920,252
Erie	154,659	682,232	205,784	171,875	121,126	70,763	1,251,780
Fairfield	384,221	1,939,092	548,745	342,561	122,281	453,795	3,406,774
Fayette	249,231	688,692	46,167	200,762	28,023	81,876	1,045,520
Franklin	330,929	2,461,413	1,559,278	372,985	313,168	497,384	5,204,228
Gallia	271,655	375,740	83,416	118,882	42,009	98,591	718,698
Geauga	254,476	790,404	13,812	169,301	17,480	75,006	1,065,953
Greene	255,438	1,429,881	210,859	260,824	104,852	347,350	2,353,768
Guernsey	389,390	697,531	100,094	262,460	72,965	136,381	1,269,381
Hamilton	246,424	3,140,170	6,751,070	679,330	2,390,505	1,023,880	14,185,255
Hancock	327,723	689,475	38,747	109,836	20,634	39,466	896,158
Hardin	283,400	448,668	30,686	53,729	13,760	10,108	556,951
Harrison	253,067	749,480	70,866	212,954	57,831	206,817	1,297,448
Henry	132,081	338,901	13,232	17,912	2,849	5,499	378,394
Highland	335,410	1,099,480	161,872	249,082	74,290	229,713	1,814,438
Hocking	239,863	352,241	30,064	76,227	10,945	22,414	491,891
Holmes	261,934	557,205	50,970	186,939	28,016	98,078	921,308
Huron	313,151	1,089,134	79,010	228,408	86,299	151,546	1,634,397
Jackson	247,780	289,727	26,940	116,392	12,864	39,928	488,845
Jefferson	248,795	1,252,941	403,968	257,165	160,324	394,355	2,408,753
Knox	373,562	1,457,125	395,135	275,247	94,333	154,765	2,376,605
Lake	144,903	802,745	79,047	147,442	50,349	84,228	1,163,811
Lawrence	172,866	253,354	7,660	106,522	70,262	74,892	512,690
Licking	426,606	2,293,973	609,370	368,846	144,143	282,331	3,696,563

4 AUG. REP.

TABULAR STATEMENT—Continued.

COUNTIES.	Acres.	Value, with Improvements.	Value of Town Lots, with Improvements.	Value of Enumerated, and Non-Enumerated Articles.	Value of Merchants' and Manufacturers' Stock.	Value of Monies and Credits.	Total Value of Taxable Property
Logan-----	282,772	\$846,612	\$80,261	\$160,194	\$49,136	\$76,647	\$1,212,805
Lorain-----	308,308	926,791	48,748	198,216	47,383	65,484	1,286,622
Lucas-----	344,738	1,068,958	345,505	165,027	75,221	44,511	1,689,222
Madison-----	279,411	866,812	81,233	237,583	37,089	98,750	1,321,467
Mahoning-----	264,496	1,179,577	52,169	261,386	58,686	211,131	1,762,929
Marion-----	291,935	816,008	100,930	186,331	41,081	65,099	1,209,399
Medina-----	284,971	831,093	32,441	190,089	36,981	70,540	1,161,144
Meigs-----	252,988	361,455	53,179	97,271	35,560	54,078	601,543
Mercer-----	267,926	617,097	81,084	70,183	14,817	20,560	803,691
Miami-----	256,119	1,404,903	333,010	239,536	107,398	217,480	2,302,277
Monroe-----	321,901	487,338	34,188	158,308	57,514	72,689	810,036
Montgomery-----	282,583	2,431,796	1,252,801	389,045	296,070	605,870	4,975,582
Morgan-----	341,275	782,852	129,197	217,048	74,451	144,053	1,347,601
Muskingum-----	417,302	2,089,386	1,133,936	422,882	246,865	694,843	4,537,312
Ottawa-----	156,812	336,908	13,297	33,739	6,441	2,842	393,237
Paulding-----	56,229	124,009	10,009	10,614	1,051	2,145	147,828
Perry-----	245,578	836,834	60,313	179,507	41,954	124,031	1,251,639
Pickaway-----	309,029	1,927,919	349,995	329,551	107,141	235,137	2,949,743
Pike-----	148,952	397,918	75,243	109,354	41,454	37,801	661,770
Portage-----	315,914	1,358,624	50,147	284,606	72,795	180,812	1,946,084

Peble-----	260,878	1,254,461	145,888	237,641	87,154	215,015	1,940,759
Putnam-----	244,638	380,288	23,313	64,515	8,054	20,127	496,297
Richard-----	354,710	1,169,849	165,062	314,549	105,462	167,201	1,922,123
Ross-----	377,389	2,406,908	973,653	246,010	263,832	469,980	4,540,383
Sandusky-----	246,208	653,240	107,869	121,178	39,282	48,886	970,455
Scioto-----	176,074	559,698	335,454	141,952	127,849	138,482	1,303,435
Seneca-----	339,721	933,982	136,496	242,807	74,786	142,750	1,530,821
Shelby-----	213,464	605,949	77,242	102,464	28,623	54,183	868,461
Stark-----	357,439	1,629,617	345,952	373,658	189,319	266,955	2,805,501
Summit-----	260,642	1,487,087	320,819	258,271	150,127	209,210	2,425,514
Trumbull-----	396,157	1,693,844	125,755	345,306	95,505	318,159	2,578,650
Tuscarawas-----	355,545	1,042,070	174,019	242,894	83,642	148,598	1,691,223
Union-----	268,040	689,066	30,054	111,632	11,434	35,968	878,154
Vanwert-----	180,864	297,277	10,570	21,456	3,238	5,357	337,898
Warren-----	255,350	2,149,662	199,215	317,856	116,114	433,419	3,216,266
Washington-----	374,806	846,364	243,453	183,258	99,609	200,007	1,572,691
Wayne-----	332,662	1,467,524	215,892	325,944	88,397	312,537	2,410,294
Williams-----	262,427	516,441	8,598	37,671	7,654	12,695	582,029
Wood-----	296,729	642,602	96,477	70,860	12,683	13,105	835,727
Wyandott-----	142,398	317,012	19,870	90,133	19,026	44,494	490,535
Totals-----	23,262,392	\$86,534,721	\$23,405,915	\$17,656,942	\$8,741,982	\$18,953,572	\$150,293,132

# TABULAR STATEMENT — Continued.

COUNTIES.	Total Value of Taxable Property.	State Taxes.	County and Township Taxes.	Total Taxes.	Delinquent Taxes, with the penalty and interest thereon.	Lawyers and Physicians.	Joint Stock and other Companies.
Adams ----	\$1,039,299	\$8,314 44	\$8,586 02	\$16,900 46	\$394 04	\$48 50	
Allen -----	714,081	5,721 00	8,467 64	14,188 64	3,986 46	26 00	
Ashland ----	1,325,237	10,602 89	15,832 90	26,435 79		114 00	
Ashtabula --	1,716,392	13,731 07	20,193 64	33,924 71	940 34	59 20	
Athens ----	1,015,738	7,530 73	12,289 15	19,819 88	817 30	84 00	\$215 65
Belmont ---	2,364,980	18,917 77	14,520 10	33,437 87	831 17	154 00	
Brown -----	1,960,359	15,982 08	10,781 46	26,763 54	906 52	92 50	
Butler -----	4,308,976	30,820 46	29,533 90	60,354 36	447 71	136 00	1,428 62
Carroll ----	803,926	6,431 40	8,385 56	14,816 96	418 96	60 00	
Champaign--	1,770,843	14,166 73	13,993 44	28,160 17	776 13	98 50	
Clark -----	2,330,473	18,643 20	13,858 03	32,501 23	566 39	54 90	
Clermont ---	2,351,703	18,813 62	16,296 98	35,110 60	1,071 19	173 25	
Clinton ----	1,675,747	13,405 97	8,938 38	22,344 35	1,156 75	100 00	
Columbiana--	2,320,175	18,561 39	22,187 54	40,748 93	768 90	106 00	
Coshocton ---	1,475,558	11,804 88	12,285 50	24,089 88	2,039 89	107 00	
Crawford ---	1,007,126	8,057 01	9,801 59	17,858 60	895 21	58 00	
Cuyahoga ---	3,611,582	26,897 99	45,835 54	74,733 52	4,604 06	106 00	
Darke -----	1,103,655	8,829 21	8,153 77	16,983 01	1,315 92	58 00	
Defiance ---	492,428	3,939 42	9,068 00	13,007 42	1,786 79	21 25	8 50
Delaware ---	1,920,252	15,359 93	10,869 72	32,229 65	1,881 79	76 50	
Erie -----	1,251,780	10,013 62	13,990 99	24,004 61	1,303 70	67 00	

Fairfield ---	3,406,774	27,254 20	26,218 90	53,473 10	1,804 45	155 00	91 93
Fayette ---	1,045,520	8,364 16	6,268 04	14,632 20	332 77	44 00	
Franklin ---	5,204,228	41,620 66	21,450 27	63,070 93	2,352 86	181 00	448 88
Gallia ---	718,638	5,749 10	7,743 44	13,492 54	328 39	51 50	
Geauga ---	1,065,953	8,528 03	8,679 71	17,207 74	569 79	---	23 26
Greene ---	2,353,766	18,830 03	14,965 68	38,795 71	398 95	85 00	
Guernsey ---	1,269,381	10,158 94	14,285 58	24,444 52	630 10	95 00	
Hamilton ---	14,185,255	113,481 97	240,791 09	354,273 06	9,143 35	697 00	3,901 50
Hancock ---	898,158	7,185 27	6,492 65	13,677 92	1,631 60	31 00	
Hardin ---	566,951	4,455 61	9,428 10	13,883 71	1,957 76	14 25	
Harrison ---	1,297,448	10,379 53	13,976 48	24,356 01	354 24	79 00	
Henry ---	378,394	3,027 17	7,742 65	10,769 82	1,788 29	4 80	
Highland ---	1,814,438	14,515 51	11,745 16	26,260 67	502 62	165 00	
Hocking ---	491,891	3,936 33	4,999 13	8,935 46	815 40	21 00	
Holmes ---	921,308	7,370 03	11,307 10	18,677 13	612 80	24 25	
Huron ---	1,634,397	13,075 18	10,366 58	23,441 76	1,356 66	110 00	
Jackson ---	488,845	3,910 76	4,372 97	8,283 73	349 93	14 60	
Jefferson ---	2,468,753	19,750 02	18,650 57	38,400 59	1,620 58	152 50	1,200 34
Knox ---	2,376,605	19,012 84	19,484 92	38,497 76	1,992 45	78 00	
Lake ---	1,163,811	9,310 57	10,130 65	19,441 22	714 62	50 50	
Lawrence ---	512,690	4,098 80	4,808 27	8,907 07	148 40	---	
Licking ---	3,698,563	29,588 49	27,949 50	57,537 99	2,611 65	252 00	
Logan ---	1,212,805	9,702 22	11,104 06	20,806 28	2,107 32	25 35	1,637 08
Lorain ---	1,286,622	10,292 50	13,097 94	23,390 44	889 17	40 50	
Lucas ---	1,699,222	13,593 78	27,203 95	40,797 73	6,603 78	---	
Madison ---	1,321,467	10,571 71	6,965 89	17,537 60	900 32	35 50	
Mahoning ---	1,762,929	14,257 88	11,972 80	26,230 68	105 51	118 00	
Marion ---	1,209,899	9,675 19	9,733 44	19,408 63	734 77	40 00	

TABULAR STATEMENT — Continued.

COUNTIES.	Total Value of Taxable Property.	State Taxes.	County and Township Taxes.	Total Taxes.	Delinquent Taxes, with the penalty and interest thereon.	Lawyers and Physicians.	Joint Stock and other Companies.
Medina ----	\$1,161,144	\$9,289 08	- \$10,698 02	\$19,987 10	\$633 50	\$38 25	
Meigs ----	601,543	4,812 84	7,084 08	11,896 42	342 73	32 00	
Mercer ----	803,691	6,429 51	11,321 27	17,750 78	3,851 95	30 00	
Miami ----	2,302,277	18,418 22	13,414 50	31,832 72	787 45	34 00	
Monroe ----	810,035	6,480 28	7,557 93	14,038 21	1,033 69	37 90	
Montgomery	4,975,582	39,804 65	31,805 94	71,610 59	524 87	118 50	\$107 52
Morgan ----	1,347,601	10,779 40	14,392 03	25,171 43	833 90	47 20	
Muskingum	4,537,312	36,296 25	24,809 57	61,105 82	919 80	124 00	1,128 89
Ottawa ----	393,227	3,145 82	7,034 91	10,180 73	1,158 30	4 00	
Paulding ----	147,828	1,190 18	3,143 07	4,333 25	1,730 85	2 00	
Perry ----	1,251,639	10,013 10	13,479 70	23,492 80	190 32	22 50	
Pickaway --	2,949,743	23,596 16	19,526 89	43,123 05	1,265 54	107 50	
Pike ----	661,770	5,293 59	6,444 53	11,738 12	222 48	23 40	
Portage ----	1,946,984	15,569 83	9,843 40	25,413 23	951 99	70 00	
Preble ----	1,940,759	15,526 05	15,487 57	31,013 62	1,072 49	108 80	
Putnam ----	496,297	3,972 24	9,439 29	13,411 53	1,592 48	21 00	
Richland ----	1,922,123	15,376 99	17,468 40	32,845 39	1,974 13	203 00	
Ross ----	4,540,383	36,323 06	21,793 89	58,116 95	405 47	75 50	
Sandusky --	970,455	7,703 58	16,608 99	24,372 57	1,364 42	25 49	
Scioto ----	1,303,435	10,428 16	16,410 76	26,838 92	1,606 35	46 70	
Seneca ----	1,530,821	12,246 57	15,756 04	28,002 61	562 16	52 00	



Shelby ----	868,461	6,942 63	8,705 68	15,648 31	1,172 02	-----	47 23
Stark -----	2,805,501	22,444 00	21,878 40	44,322 40	1,980 72	159 00	
Summit ----	2,425,514	19,404 11	21,693 87	41,097 98	1,857 63	138 00	
Trumbull --	2,678,659	20,628 49	13,853 60	34,482 09	768 96	144 50	
Tuscarawas,	1,691,223	13,524 03	14,275 11	27,799 14	1,136 96	80 62	
Union -----	878,154	7,024 46	9,083 33	16,707 79	3,292 78	75 00	
Vanwert ----	337,898	2,688 75	6,236 14	8,924 89	1,315 12	10 00	
Warren ----	3,216,266	25,730 12	24,809 43	50,539 55	439 99	60 25	
Washington,	1,572,691	12,584 24	12,190 74	24,774 98	543 58	61 00	
Wayne ----	2,410,294	19,282 38	19,118 17	38,400 55	1,555 28	131 00	
Williams ---	583,029	4,664 25	10,385 17	15,049 42	1,816 80	11 00	
Wood ----	835,727	6,685 24	18,669 47	25,354 71	8,723 78	6 50	
Wyandott --	490,535	3,924 16	5,025 05	8,949 21	815 34	29 00	
Totals ----	\$150,293,132	\$1,198,222 83	\$1,381,550 31	\$2,580,073 14	\$118,540 47	\$6,434 96	\$10,339 89
Taxes on Railroad, Bridge, Stage, and other Joint Stock Companies -----		10,339 30					
Taxes on Lawyers and Phy- sicians -----		6,434 96					
Total Tax for State purposes -		\$1,214,897 18					

**TABULAR STATEMENT of the number and value of Domestic Animals, returned by the Township Assessors for taxation, in 1846, one half of which was placed on the Duplicates of 1846.**

COUNTIES.	HORSES.		MULES.		CATTLE.		SHEEP.		HOGS.	
	No.	Value.	No.	Value.	No.	Value.	No.	Value.	No.	Value.
Adams -----	6,080	\$152,231	7	\$265	8,012	\$50,976	20,379	\$9,769	21,133	\$30,027
Allen -----	3,788	96,968	---	---	6,379	42,384	11,168	6,720	11,744	9,112
Ashland -----	6,657	224,139	8	335	14,397	89,028	53,686	26,276	17,341	19,742
Ashtabula -----	4,078	140,483	40	1,115	22,203	251,293	56,324	29,577	5,796	12,714
Athens -----	4,407	116,548	6	220	9,590	72,197	42,458	21,727	11,957	17,417
Belmont -----	9,780	351,779	---	---	12,749	97,689	68,128	41,193	25,405	35,704
Brown -----	8,128	234,142	---	---	9,584	67,261	27,289	12,906	29,412	51,794
Butler -----	10,690	377,052	11	428	12,496	104,662	23,535	13,460	54,077	124,398
Carroll -----	5,798	170,718	9	863	9,868	60,049	57,271	31,063	12,533	12,196
Champaign -----	7,134	224,007	68	3,131	11,411	94,241	41,339	23,677	19,494	37,915
Clark -----	0,966	225,824	55	2,445	14,392	132,117	58,135	88,152	19,492	43,778
Clermont -----	8,40	265,217	52	1,332	10,732	85,167	26,604	14,829	31,659	64,450
Clinton -----	6,832	202,040	32	1,300	9,361	72,169	36,544	22,086	26,188	52,248
Columbiana -----	8,376	250,882	9	270	14,061	99,725	96,978	52,076	17,096	20,191
Coshocton -----	6,690	219,757	---	---	12,503	70,857	47,009	22,829	17,728	20,084
Crawford -----	4,511	152,122	---	---	11,320	85,550	37,477	19,063	15,099	15,186
Cuyahoga -----	4,634	161,205	3	55	14,040	141,504	51,573	26,171	7,048	12,628
Defiance -----	850	27,403	---	---	2,404	23,842	1,519	1,246	3,820	4,663

Darke----	5,941	166,368	1	40	9,810	66,893	20,221	9,522	22,280	30,315
Delaware----	8,196	230,131	43	2,587	14,192	106,922	60,995	26,500	22,949	32,081
Erie-----	2,986	109,513	15	375	8,782	86,375	39,570	21,070	6,718	9,015
Fairfield----	10,292	306,752	3	100	17,382	109,863	41,101	23,085	30,214	46,296
Fayette-----	5,896	173,186	32	2,275	11,924	120,462	86,868	22,906	20,768	43,695
Franklin-----	8,217	291,663	85	4,166	13,594	109,557	29,612	18,538	33,568	63,174
Gallia-----	4,078	116,555	17	545	7,792	54,633	20,233	10,990	11,315	12,399
Geauga-----	2,983	102,400	2	50	13,800	151,248	51,873	28,323	4,425	8,697
Greene-----	7,937	235,004	23	1,015	10,599	84,830	47,159	27,845	25,769	53,132
Guernsey-----	9,653	285,929	7	190	14,412	87,980	66,678	35,167	22,442	23,863
Hamilton-----	11,587	385,609	41	1,284	12,202	112,241	13,447	9,073	31,494	64,005
Hancock-----	3,649	112,110	---	---	6,878	51,422	16,665	10,433	13,935	13,919
Hardin-----	1,878	51,892	4	95	3,674	28,634	5,477	3,357	7,062	6,922
Harrison-----	6,274	203,060	6	175	9,095	58,313	97,628	62,380	14,877	19,967
Henry-----	380	12,756	2	45	1,503	15,156	584	454	1,434	2,335
Highland-----	8,895	253,668	19	583	10,601	74,771	36,637	17,958	28,444	55,832
Hocking-----	3,202	81,051	1	40	5,940	38,308	14,260	6,797	8,255	9,919
Holmes-----	5,990	196,599	1	20	11,712	72,775	34,378	18,281	14,227	15,753
Huron-----	5,050	180,756	6	245	14,631	148,636	51,248	27,045	12,729	18,602
Jackson-----	3,658	97,172	21	795	8,927	63,905	18,912	10,081	10,532	15,399
Jefferson-----	6,758	213,612	3	95	9,559	63,555	84,673	53,923	17,071	22,528
Knox-----	9,629	261,089	7	160	15,756	110,642	69,546	37,517	19,340	26,466
Lake-----	2,593	94,187	4	180	8,790	94,495	35,435	21,127	4,069	8,829
Lawrence-----	2,518	74,051	86	3,320	6,143	63,444	9,219	5,646	10,020	11,592
Licking-----	11,306	342,825	19	505	19,850	141,409	55,732	45,869	26,893	40,947
Logan-----	5,712	167,457	---	---	8,750	63,275	29,299	15,802	14,414	21,865
Lorain-----	3,997	135,609	9	307	15,240	152,482	56,332	30,308	8,326	11,984
Lucas-----	2,285	77,465	---	---	8,813	101,650	10,859	7,909	7,155	9,528

**TABULAR STATEMENT of the number and value of enumerated and unenumerated articles; total value of enumerated and unenumerated articles and domestic animals; value of merchants' and manufacturers' stock, and moneys, and credits, and total value of personal property, moneys and credits, returned by the township assessors for taxation in 1846.**

Counties.	Pleasure Carriages.		Watches.		Pianos.		Unenumerated Articles.	Enumerated and unenumerated Articles.	Merchants' and Manufacturers' Stock.	Moneys and Credits.	Total value of Personal Property.
	No.	Value.	No.	Value.	No.	Value.					
Adams .....	158	\$6,960	365	\$3,802	1	\$150	\$39,045	\$293,225	\$88,602	\$197,135	\$578,962
Allen .....	35	1,366	280	2,480	1	50	25,139	184,219	20,427	49,737	263,383
Ashtabula .....	1,272	44,239	742	7,846	4	360	120,261	607,883	146,987	217,529	972,404
Ashland .....	569	22,856	701	5,754	7	760	32,437	421,346	83,567	171,019	675,932
Athens .....	210	8,120	472	4,413	11	1,230	28,268	270,140	86,149	142,783	499,072
Belmont .....	597	26,621	1,153	13,283	17	2,200	64,737	633,206	220,000	563,792	1,416,998
Brown .....	244	11,856	581	8,707	8	1,175	8,769	396,610	246,844	342,502	985,956
Butler .....	928	56,304	1,440	19,296	31	3,852	107,666	807,108	430,312	903,586	2,150,006
Carroll .....	393	13,452	493	3,741	1	20	23,038	314,640	55,772	170,199	640,611
Champaign .....	456	24,556	677	7,933	7	995	61,057	477,512	143,258	328,975	949,745
Clark .....	805	43,118	946	11,580	14	2,080	65,079	564,182	222,135	529,441	1,315,758
Clermont .....	592	30,392	799	11,169	7	1,260	95,253	569,069	164,985	474,451	1,208,505
Clinton .....	417	20,487	480	4,855	1	100	37,709	414,994	101,686	304,965	821,595
Columbiana .....	1,308	50,149	1,296	13,480	17	1,410	67,384	555,567	290,610	510,132	1,356,309
Coshocton .....	310	11,008	485	4,858			43,050	401,443	101,171	218,210	730,824
Crawford .....	240	10,023	510	4,070	2	200	37,866	324,079	60,651	134,350	519,080
Cuyahoga .....	1,221	50,736	1,899	33,878	119	14,034	224,739	664,048	630,829	338,719	1,624,406
Defence .....	32	1,012	174	1,725	3	240	15,423	75,554	34,733	32,024	142,331
Darke .....	138	6,584	385	2,849			5,368	288,239	46,271	123,013	489,523
Delaware .....	520	21,031	783	8,294	15	1,255	49,567	478,368	113,833	190,100	782,301
Erie .....	448	19,473	664	8,338	17	2,200	70,787	327,146	251,152	142,991	721,289
Fairfield .....	1,112	50,896	1,374	13,531	37	4,871	80,549	634,953	237,123	881,187	1,753,263
Fayette .....	197	10,225	262	2,404	1	75	21,683	396,911	54,327	160,186	611,424
Franklin .....	910	51,286	1,617	30,419	95	14,159	170,036	752,998	628,645	989,147	2,370,790
Gallia .....	115	6,703	378	3,512	11	1,602	33,252	240,491	90,777	171,755	503,023

Geauga.....	725	24,190	983	4,117	4	350	17,516	336,891	192,740	156,539	596,163
Greene.....	744	40,088	978	10,713	7	1,275	47,791	521,643	209,702	615,166	1,346,511
Gurnsey.....	346	13,254	715	6,529	2	125	44,079	497,116	150,218	245,870	893,204
Hamilton.....	1,855	134,787	4,435	111,757	549	66,302	858,241	1,743,391	4,736,908	2,003,549	8,483,846
Hancock.....	101	3,749	304	1,954			24,452	218,039	41,584	78,861	338,494
Harrison.....	32	1,663	154	1,253			10,668	104,484	27,562	19,455	151,501
Henderson.....	467	17,396	699	6,620			20,942	399,103	114,936	412,552	926,591
Henry.....	14	448	75	799	1	250	4,552	36,808	4,698	10,996	52,502
Hocking.....	509	24,991	602	6,574	16	2,050	55,198	491,125	142,580	464,894	1,104,599
Hockland.....	83	3,074	165	1,125			12,140	152,454	21,890	44,828	219,172
Holmes.....	311	12,755	471	3,337	1	40	31,887	351,447	54,456	197,732	603,635
Huron.....	521	25,374	830	9,088	15	1,975	76,625	488,346	171,559	302,538	962,443
Jackson.....	51	1,929	179	1,242			14,312	204,785	26,802	86,272	316,859
Jefferson.....	670	33,607	1,327	17,714	36	4,425	143,000	552,459	318,979	833,463	1,704,901
Knox.....	1,031	29,761	882	10,565	16	2,140	60,873	548,213	185,816	302,968	1,036,997
Lake.....	821	29,059	590	7,448	22	2,955	34,357	291,947	99,344	159,760	551,051
Lawrence.....	40	1,500	196	3,465	1	250	47,258	210,526	138,956	149,097	498,579
Licking.....	1,143	47,735	1,346	16,519	35	4,362	67,945	708,216	282,621	536,730	1,527,567
Logan.....	272	11,837	504	4,846			30,530	315,262	98,707	148,468	562,437
Lorain.....	716	25,933	784	7,778	17	1,600	26,799	392,800	93,563	130,747	617,110
Lucas.....	219	8,971	638	10,837	16	2,220	90,458	399,038	164,772	197,498	563,221
Madison.....	248	13,284	330	3,889	5	830	32,787	475,309	74,479	197,498	747,286
Mahoning.....	1,361	41,783	710	6,836	11	1,235	38,354	476,915	119,358	401,417	997,690
Marion.....	209	9,129	308	3,608			35,132	365,042	81,481	128,746	575,269
Medina.....	663	23,484	759	6,488	6	885	13,764	370,528	73,962	140,990	586,470
Meigs.....	162	5,765	338	3,014	2	125	36,191	192,185	67,969	110,270	370,424
Mercer.....	27	1,171	369	2,074			15,006	134,922	31,691	38,689	204,602
Miami.....	652	31,621	996	10,974	1	100	64,679	477,996	211,157	430,149	1,119,302
Monroe.....	86	2,861	454	3,485	10	1,200	55,779	305,305	110,430	140,566	556,301
Montgomery.....	1,185	74,929	1,916	26,632	61	8,310	142,414	794,757	582,389	1,174,341	2,551,427
Morgan.....	314	13,730	708	6,868	2	100	51,965	427,922	153,148	284,901	865,971
Muskingum.....	895	41,316	1,826	15,024	83	12,065	172,493	808,029	477,813	1,478,450	2,764,292
Ottawa.....	18	580	95	880	2	960	11,778	66,452	16,441	6,764	89,657
Paulding.....	2	30	29	247			2,596	21,496	1,541	4,453	27,490

## STATEMENT — Continued.

Counties.	Pleasure Carriages.		Watches.		Pianos.		Unenumerated Articles.	Merchants' and Manufacturers' Stock.	Money and Credits.	Total value of Personal Property.
	No.	Value.	No.	Value.	No.	Value.				
Perry .....	331	\$13,977	539	\$4,922	8	\$785	\$46,359	\$84,762	\$252,578	\$698,861
Pickaway .....	592	32,280	882	12,894	24	4,200	38,798	210,603	467,886	1,325,930
Pike .....	58	2,937	247	2,780	2	550	22,399	57,811	110,711	375,127
Portage .....	1,516	58,658	1,071	11,295	7	670	48,742	145,798	368,759	1,077,081
Preble .....	619	30,813	756	8,019	2	150	24,112	159,622	410,032	1,045,040
Putnam .....	28	833	176	1,190			17,596	10,866	36,392	176,288
Richland .....	701	26,880	1,107	7,175	8	1,445	103,208	190,786	247,980	1,030,742
Ross .....	720	44,146	1,162	21,694	56	9,168	106,978	516,478	887,121	2,226,249
Sandusky .....	213	7,482	454	4,266	1	200	27,004	242,078	97,472	418,114
Scioto .....	170	8,672	571	9,233	19	2,230	57,855	255,928	277,949	816,428
Seneca .....	394	17,764	906	8,198	13	1,775	56,188	182,925	278,923	907,141
Shelby .....	176	6,498	455	3,490	3	415	27,179	55,358	107,620	366,564
Stark .....	1,756	69,008	1,831	17,858	30	5,130	76,079	392,614	512,476	1,609,316
Summit .....	1,105	43,480	1,162	16,247	24	2,735	72,824	299,011	421,615	1,233,953
Trumbull .....	1,935	64,257	987	11,832	16	1,840	66,490	180,508	631,419	1,505,135
Tuscarawas .....	571	23,085	855	7,835	17	1,195	52,831	167,160	291,272	939,832
Union .....	104	3,438	161	1,300			11,058	214,374	67,728	302,717
Van Wert .....	3	198	60	402			4,970	6,390	11,746	59,705
Warren .....	943	57,430	1,180	13,568	18	3,841	98,962	231,728	866,538	1,755,068
Washington .....	419	17,583	970	11,832	12	1,750	62,821	195,375	372,027	994,208
Wayne .....	1,146	43,838	1,333	11,440	10	1,265	24,135	180,653	530,311	1,390,843
Williams .....	14	605	126	962			6,379	14,870	20,918	110,380
Wood .....	68	2,224	241	2,615	5	530	14,296	25,010	25,453	187,370
Wyandott .....	133	5,967	256	1,922			16,383	36,305	88,903	293,568
	43,435	1,931,972	61,538	750,862	1,640	211,056	4,974,358	17,355,058	27,266,210	79,151,765

**TABULAR STATEMENT** of the number of acres of land, in each county, the average value per acre, the value of lands, the value of towns and cities, and the total value of real property, in each county, upon the Duplicate of 1846.

Counties.	No. of Acres	Avg'e value per Acre.	Val. of Lands.	Val. of Towns	Total value of Real Property.
Adams -	252,136	\$2 60 8	\$657,704	\$85,000	\$742,704
Allen -	284,196	1 90 0	540,551	39,274	579,725
Ashland -	236,588	3 65 4	864,677	78,844	943,521
Ashtabula -	444,435	2 73 2	1,203,292	44,479	1,247,771
Athens -	341,041	1 86 1	634,889	131,674	766,563
Belmont -	331,754	4 31 7	1,432,500	180,170	1,612,670
Brown -	294,037	4 17 5	1,227,686	214,734	1,442,420
Butler -	288,232	10 04 3	2,894,801	338,720	3,233,521
Carroll -	249,144	1 89 5	472,355	36,057	508,412
Champaign -	265,820	4 24 0	1,127,125	158,368	1,285,493
Clark -	248,675	5 59 6	1,391,742	279,753	1,771,495
Clermont -	278,317	5 54 3	1,542,887	185,672	1,728,559
Clinton -	262,146	4 40 6	1,155,155	105,571	1,260,726
Columbiana -	335,044	4 00 6	1,342,294	274,007	1,616,301
Coshocton -	347,021	2 87 9	999,382	105,556	1,104,888
Crawford -	250,806	2 76 6	698,766	43,183	741,949
Cuyahoga -	285,225	5 50 9	1,571,328	1,197,311	2,768,639
Darke -	373,998	2 45 3	817,781	54,823	872,604
Defiance -	156,840	2 33 5	367,284	52,963	420,247
Delaware -	379,618	3 57 2	1,327,707	198,207	1,525,914
Erie -	154,659	4 41 1	682,232	205,784	888,016
Fairfield -	334,221	5 80 1	1,939,092	548,745	2,487,837
Fayette -	249,231	2 76 3	688,692	46,167	734,859
Franklin -	330,029	7 45 8	2,461,413	1,559,278	4,020,691
Gallia -	271,655	1 38 3	375,740	83,416	459,156
Geauga -	254,476	3 10 6	790,404	13,812	804,216
Greene -	255,438	5 59 7	1,429,881	210,859	1,639,740
Guernsey -	389,390	1 79 3	697,531	100,094	797,625
Hamilton -	246,424	12 74 2	3,140,170	6,751,070	9,891,240
Hancock -	327,723	2 10 3	683,475	38,747	728,222
Hardin -	283,400	1 58 3	448,668	30,686	479,354
Harrison -	253,067	2 96 1	749,480	70,366	820,846
Henry -	182,081	2 56 5	328,901	13,232	352,133
Highland -	335,410	3 20 7	1,099,480	161,872	1,261,352
Hocking -	239,863	1 46 8	352,241	30,064	382,305
Holmes -	261,934	2 12 7	557,305	50,970	608,275
Huron -	313,151	3 47 8	1,089,134	79,010	1,168,144
Jackson -	247,780	1 16 9	269,727	29,940	319,667
Jefferson -	248,795	5 03 6	1,252,941	403,968	1,656,909
Knox -	373,562	3 90 0	1,457,125	395,135	1,852,260
Lake -	144,904	5 53 9	802,745	79,047	881,792
Lawrence -	172,896	1 46 5	253,354	7,660	261,014
Licking -	426,608	5 37 7	2,293,973	609,370	2,903,343
Logan -	282,772	2 99 3	846,612	80,261	926,873
Lorain -	308,308	3 00 6	926,791	48,748	975,539
Lucas -	334,738	3 10 0	1,068,958	345,505	1,413,463
Madison -	279,411	3 10 2	866,812	81,233	948,045
Mahoning -	264,496	4 45 9	1,179,577	52,169	1,231,746

## STATEMENT — Continued.

Counties.	No. of Acres	Average value per Acre.	Val. of Lands	Val. of Towns	Total value of Real Property
Marion -	291,935	\$2 79 5	\$816,008	\$100,930	\$916,938
Medina -	264,971	3 13 6	831,093	32,441	863,534
Meigs -	252,288	1 43 2	361,455	53,179	414,634
Mercer -	267,926	2 30 6	617,097	81,034	698,131
Miami -	256,119	5 48 5	1,404,903	333,010	1,737,913
Monroe -	321,901	1 51 3	487,336	34,188	521,524
Montgomery	282,533	8 60 7	2,431,796	1,252,801	3,684,597
Morgan -	341,275	2 29 3	782,852	129,197	912,049
Muskingum	417,302	4 88 7	2,039,386	1,133,936	3,173,322
Ottawa -	156,812	2 14 7	336,908	13,297	350,205
Paulding -	56,220	2 20 5	124,009	10,009	134,018
Perry -	245,578	3 40 7	836,834	69,313	906,147
Pickaway	309,029	6 23 8	1,927,919	349,995	2,277,914
Pike -	148,952	2 67 1	397,918	75,243	473,161
Portage -	315,914	4 30 0	1,358,624	50,147	1,408,771
Preble -	260,878	4 80 8	1,254,461	145,888	1,400,349
Putnam -	244,638	1 55 4	380,288	23,313	403,601
Richland -	354,710	3 29 8	1,169,849	165,062	1,334,911
Ross -	377,389	6 37 7	2,406,908	973,953	3,380,861
Sandusky	246,208	2 65 3	653,240	107,869	761,109
Scioto -	176,074	3 17 8	559,698	335,454	895,151
Seneca -	339,721	2 74 9	933,982	136,496	1,070,478
Shelby -	213,464	2 83 8	605,949	77,242	683,192
Stark -	357,438	4 53 1	1,629,617	345,952	1,975,569
Summit -	260,642	5 70 5	1,487,087	320,819	1,807,906
Trumbull	396,157	4 27 5	1,693,844	125,755	1,819,599
Tuscarawas	355,545	2 93 0	1,042,070	174,019	1,216,089
Union -	268,040	2 57 0	689,066	30,054	719,120
Vanwert -	180,864	1 64 3	297,277	10,570	307,847
Warren -	255,350	8 41 8	2,149,662	199,215	2,348,877
Washington	374,806	2 25 8	846,364	243,453	1,089,817
Wayne -	332,662	4 41 1	1,467,524	215,892	1,683,416
Williams -	262,427	1 96 7	516,441	8,568	525,009
Wood -	296,729	2 16 5	642,602	96,477	739,079
Wyandott	142,896	2 22 6	317,012	19,870	336,882
Totals -	23,262,392	\$3 71 9	\$86,534,721	\$22,405,915	\$109,940,636



**TABULAR STATEMENT** of the number of acres returned by the district Assessors of each county, and reported by the county Auditors upon the new assessment; the average per acre as equalized by the State Board of Equalization; the value of the lands; the value of the towns and cities; and the total value of real property in each county as equalized by the State Board of Equalization, at its session held in Columbus, in October, 1846.

Counties.	No. of Acres	Av'ge value per Acre.	Total value of lands.	Value of Towns and Cities.	Total value of Real Property as Equalized.
Adams -	252,147	\$7 44 9	\$1,878,398	\$135,307	\$2,013,705
Allen -	287,378	4 25 8	1,223,070	90,787	1,314,457
Ashland -	268,477	13 21 0	3,546,847	176,840	3,723,687
Ashtabula	443,864	8 25 8	3,665,629	102,010	3,767,639
Athens -	391,981	3 71 0	1,454,592	201,382	1,655,974
Belmont -	333,966	15 41 4	5,147,896	440,724	5,588,020
Brown -	208,085	12 01 9	3,582,693	491,935	4,074,028
Butler -	293,207	24 84 4	7,286,893	840,196	8,127,089
Carroll -	245,944	8 62 6	2,121,748	102,443	2,224,091
Champaign	266,416	12 40 8	3,305,814	327,126	3,632,940
Clark -	25,231	17 61 0	4,425,277	619,293	5,044,570
Clermont -	281,102	16 49 7	4,637,516	409,493	5,047,009
Clinton -	258,680	12 24 5	3,167,768	162,173	3,329,341
Columbiana	335,162	14 98 7	5,023,225	600,483	5,623,708
Coshocton	347,228	10 75 3	3,733,784	272,167	4,005,951
Crawford -	255,682	9 47 9	2,423,822	132,009	2,555,831
Cuyahoga	270,454	14 81 2	4,139,321	3,274,391	7,413,712
Darke -	378,347	6 64 9	2,515,924	122,778	2,638,702
Defiance -	159,655	4 01 4	641,290	123,449	764,748
Delaware	380,351	9 18 9	3,495,323	415,357	3,910,680
Erie -	158,072	13 35 1	2,111,382	936,720	3,048,102
Fairfield -	327,876	15 36 7	5,018,898	864,862	5,883,760
Fayette -	250,333	8 55 0	2,139,343	83,150	2,222,493
Franklin -	333,187	17 05 4	5,682,338	2,601,202	8,283,540
Gallia	275,712	4 74 1	1,307,096	205,867	1,512,963
Geauga -	254,982	9 45 2	2,410,186	39,621	2,449,807
Greene -	256,696	20 04 1	5,145,636	460,468	5,606,104
Guernsey	387,326	9 10 4	3,526,259	374,356	3,900,615
Hamilton	248,440	41 62 0	10,340,308	29,211,115	39,551,323
Hancock -	327,723	5 10 7	1,673,912	117,117	1,791,029
Hardin -	274,476	3 40 0	933,685	83,080	1,016,765
Harrison -	252,869	12 07 6	3,053,746	205,943	3,259,689
Henry -	138,701	2 81 2	390,046	21,010	411,056
Highland	337,514	11 33 2	3,824,709	437,128	4,261,837
Hocking -	242,114	3 75 9	910,188	48,810	968,908
Holmes -	259,698	9 20 8	2,391,293	107,614	2,498,907
Huron	313,087	12 20 2	3,820,470	301,650	4,122,120
Jackson -	248,800	4 20 9	1,047,238	79,636	1,126,874
Jefferson -	258,134	17 32 4	4,472,035	901,375	5,373,410
Knox -	377,868	11 81 1	4,463,341	643,555	5,106,896
Lake -	145,100	13 19 7	1,914,926	138,502	2,053,428
Lawrence	176,595	5 40 6	954,890	22,872	977,762
Licking -	428,295	14 17 7	6,072,295	1,004,567	7,076,862
Logan -	285,360	8 55 5	2,441,392		2,441,392

Counties.	No. of Acres	Average value per Acre.	Total value of Lands.	Value of Towns and Cities.	Total value of R. Property as Equalized.
Lorain -	305,075	\$9 89 3	\$3,018,342	\$281,381	\$3,299,723
Lucas -	346,999	4 07 9	1,415,621	889,565	2,305,186
Madison -	279,651	8 55 6	2,392,897	144,068	2,536,965
Mahoning -	263,923	16 18 6	4,271,924	215,813	4,487,737
Marion -	294,863	7 68 5	2,266,050	182,805	2,448,855
Medina -	264,971	11 40 7	3,022,557	93,523	3,116,080
Meigs -	255,527	5 25 2	1,342,270	180,306	1,522,576
Mercer -	263,463	4 55 0	1,198,899	174,082	1,372,981
Miami -	254,429	16 52 3	4,203,695	120,357	4,324,052
Monroe -	326,060	5 65 8	1,844,973	112,068	1,957,041
Montgomery -	286,797	23 64 7	6,782,134	2,815,701	9,597,835
Morgan -	348,086	9 41 2	3,284,297	256,945	3,541,242
Muskingum -	417,927	14 09 0	5,888,810	1,855,409	7,744,219
Ottawa -	156,751	2 26 7	355,381	6,292	361,673
Paulding -	54,554	2 60 3	142,054	15,875	157,929
Perry -	252,901	10 49 2	2,653,654	163,339	2,816,993
Pickaway -	309,251	17 75 5	7,490,943	625,741	6,116,084
Pike -	166,212	8 35 7	1,389,040	135,898	1,524,938
Portage -	314,343	13 45 7	4,230,273	140,623	4,370,896
Preble -	263,700	16 32 8	4,205,812	364,240	4,600,052
Putnam -	243,849	3 53 4	861,823	38,295	900,118
Richland -	365,652	12 14 5	4,441,176	607,828	5,049,004
Ross -	377,643	16 16 0	6,101,451	1,472,911	7,574,362
Sandusky -	251,537	6 57 5	1,653,945	217,171	6,116,116
Scioto -	181,625	8 85 2	1,571,494	611,061	2,182,555
Seneca -	339,297	12 28 9	4,169,705	418,606	4,588,311
Shelby -	211,291	8 49 8	1,794,900	193,480	1,988,380
Stark -	352,974	17 19 0	6,068,211	987,717	7,055,928
Summit -	260,343	16 10 4	4,193,450	566,198	4,759,648
Trumbull -	396,204	12 68 1	5,024,396	377,145	5,401,541
Tuscarawas -	355,853	10 70 5	3,809,467	481,266	4,290,733
Union -	267,395	4 77 3	1,276,316	72,819	1,349,135
Vanwert -	177,723	2 09 0	374,317	16,830	388,147
Warren -	250,982	22 60 2	5,672,612	470,354	6,142,966
Washington -	377,830	5 75 4	2,174,145	687,184	2,861,329
Wayne -	344,359	13 09 9	4,510,919	369,276	4,880,195
Williams -	259,506	3 03 5	787,657	14,083	801,740
Wood -	206,518	2 83 2	839,654	105,604	945,258
Wyandott -	132,523	6 17 3	818,150	52,067	870,217
Towns in Lo- gan county	—	—	—	377,187	377,187
Miami coun- ty—Piqua	—	—	—	310,538	310,538
Miami coun- ty—Troy	—	—	—	250,159	250,159
Totals -	23,436,062	\$11 05 5	259,093,635	\$65,302,373	\$324,396,004

STATEMENT of the value of the several species of property, and of the amount of taxes assessed thereon, for the years 1843, '44, '45, and '46, and an estimate of the value of the several species of property, and of the taxes which will be assessed thereon for the year 1847.

Years.	Mills on the dollar assessed.	Value of Horses,* Cattle, and other Domestic animals.	Tax on Domestic Animals.	Value of carriages, watches, pianos, & unenumerated articles.	Tax on carriages, watches, pianos, & unenumerated articles.	Value of merchants' stock, money and credits.	Tax on merchants' stock, money and credits.	Value of Real Estate.	Tax on Real Estate.
1843	16	\$20,352,039	\$325,632	\$694,376	\$11,110	\$7,120,998	\$113,935	\$105,496,382	\$1,687,942
1844	16	20,667,271	330,676	783,238	12,731	7,550,005	120,800	107,142,152	1,714,274
1845	15.9	21,274,824	338,270	1,055,742	16,786	13,556,507	215,548	108,185,744	1,720,153
1846	17.1-6	13,626,513	233,921	4,030,429	69,189	22,695,554	389,607	109,940,636	1,887,314
1847	6	27,000,000	162,000	8,000,000	48,000	45,000,000	270,000	325,000,000	1,950,000

\*Horses and cattle were the only domestic animals taxed until 1846.

†Watches, Pianos, and unenumerated articles, were not taxed until 1846. The only article in this column, taxed previous to 1846, was carriages. The calculations in the above table have been made at the rate of taxation stated, which is very near the true rate of the aggregate amount of taxes levied. The total amount of real and personal property returned by the township and district assessors in 1846, was \$43,627,677. The amount for 1847 has been estimated at four hundred and five millions.

**TABULAR STATEMENT of the amount of capital stock paid and remaining as stock in each of the Banks of this State, the average amount of stock during the year, the amount of taxes paid by each of the Banks, and of the mills paid upon each dollar, and the per cent. paid upon the average capital stock in each of the Banks during the year ending November 15, 1846.**

NAMES OF BANKS.	Amount of Capital, Nov 1, 1846.	Average amount of capital during the year.	Taxes paid during the year.	Mills paid on each dollar paid on the of average capital.	Per cent. paid on the of average capital.
INDEPENDENT BANKS.					
Bank of Geauga	\$30,000 00	\$30,000	\$221 16	7.37	\$0 73 7
Canal Bank of Cleveland	20,000 00	8,500	49 40	5.81	0 58 1
City Bank of Columbus	90,000 00	82,342	687 59	8.31	0 83 1
City Bank of Cincinnati	49,800 00	38,625	227 80	5.89	0 58 9
City Bank of Cleveland	39,520 00	35,947	129 58	3.60	0 36 0
Commercial Bank, Cincinnati	40,000 00	31,600	1,051 05	33.25	3 32 5
Dayton Bank	56,350 00	51,339	635 72	12.38	1 23 8
Sandusky City Bank	20,000 00	8,500	41 50	4.88	0 48 8
Western Reserve Bank	30,000 00	27,325	234 29	8.57	0 85 7
Total	\$376,170 00	\$314,178	\$3,278 09	10.43	\$1 04 3
BRANCHES OF STATE BANK.					
Bank of Akron	\$100,000 00	\$68,098	\$282 00	4.14	\$0 41 4
Chillicothe Branch	83,360 00	64,600	1,075 87	16.65	1 66 5
Commercial Branch, Cleveland	105,300 00	70,233	553 98	7.88	0 78 8
Commercial Branch, Toledo	100,000 00	76,121	568 45	7.47	0 74 7

Dayton Branch -----	87,520 00	74,211	588 80	7.86	0 78 6
Delaware County Branch -----	68,088 00	54,368	443 66	8.16	0 81 6
Exchange Branch -----	93,400 00	69,479	529 23	7.61	0 76 1
Farmers' Branch, Salem -----	49,100 00	22,275	88 26	3.96	0 39 6
Franklin Branch, Columbus -----	122,675 00	100,754	998 12	9.91	0 99 1
Franklin Branch, Cincinnati -----	126,750 00	119,085	820 62	6.89	0 68 9
Jefferson Branch -----	60,000 00	52,190	383 59	7.35	0 73 5
Marietta Branch -----	60,000 00	42,673	430 89	10.08	1 00 8
Mechanics' and Traders' Branch -----	60,000 00	52,500	318 61	6.06	0 60 6
Merchants' Branch -----	81,014 44	75,968	401 46	5.28	0 52 8
Summit County Branch -----	100,000 00	72,299	337 51	4.66	0 46 6
Toledo Branch -----	100,000 00	77,715	374 95	4.82	0 48 2
Xenia Branch -----	100,000 00	100,000	928 82	9.29	0 92 9
Total -----	\$1,496,757 44	\$1,192,569	\$9,118 82	7.65	\$0 76 5
Total of Independent and State Bank Branches -----	\$1,872,927 44	\$1,506,747	\$12,396 91	8.22	\$0 82 2
Old Banks.					
Bank of Circleville -----	\$200,000 00	\$200,000	\$1,000 00	5.00	\$0 50 0
Bank of Massillon -----	200,000 00	200,000	300 00	1.50	0 15 0
Bank of Norwalk -----	200,000 00	200,000	1,100 00	5.50	0 55 0
Bank of Wooster* -----	249,450 00	249,450	1,371 97	5.50	0 55 0

\*The tax upon the dividend of the Wooster Bank, declared in July last, was not drawn for until the 23d of November, and therefore does not appear in the reports as paid during the year.

## STATEMENT — Continued.

NAMES OF BANKS.	Amount of Capital, Nov. 1, 1946.	Average amount of capital during the year.	Taxes paid during the year.	Mills paid on each dollar paid on the average amount of capital.	Per cent. paid on the average amount of capital.
OLD BANKS.					
Bank of Sandusky -----	\$100,000 00	\$100,000			
Clinton Bank, Columbus -----	300,000 00	300,000	\$1,500 00	5.	\$0 50 0
Lafayette Bank, Cincinnati -----	704,300 00	704,500	3,000 00	4.26	0 42 6
Ohio Life Insurance and Trust Company -----	2,000,000 00	2,000,000	8,000 00	4.	0 40 0
Total -----	\$3,953,750 00	\$3,953,950	\$16,271 97	4.12	\$0 41 2
Total of all the Banks -----	\$5,826,677 44	\$5,460,697	\$28,668 88	5.25	\$0 52 5

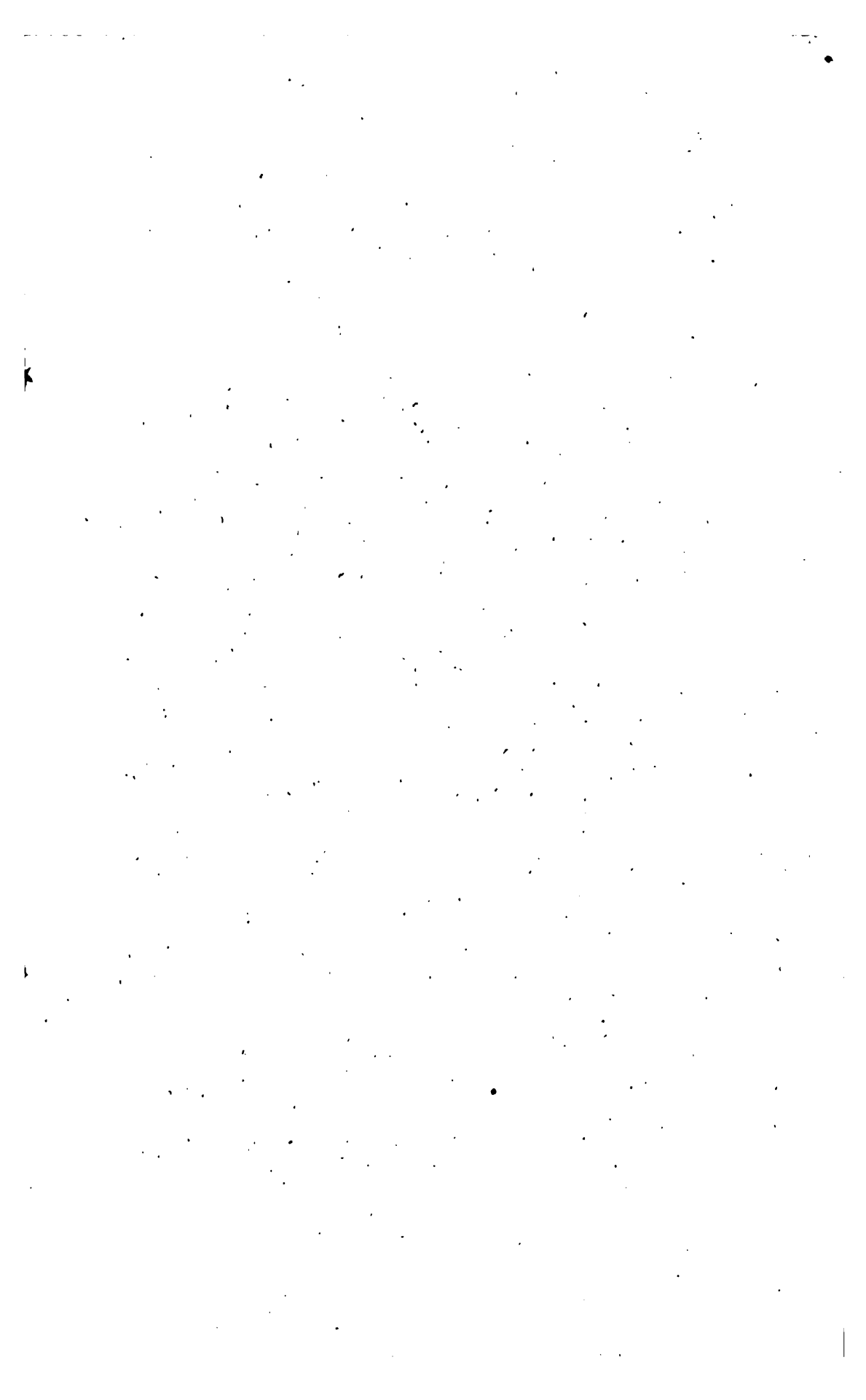
*STATEMENT of money paid for school purposes to the several counties, showing the amount of Special Funds, of Common School Funds, and the aggregate amount paid to each county during the year ending November 15, 1846.*

Counties.	Com. School Fund.	Special Fund.	Total.
Adams -----	\$2,026 10 5	\$881 14 2	\$2,907 24 7
Allen -----	1,425 22 7	37 49 7	1,462 72 4
Ashtabula -----	2,964 29 0	922 19 0	3,886 48 0
Athens -----	2,362 01 0	487 53 3	3,849 54 3
Belmont -----	3,643 40 0	676 08 2	4,319 48 2
Brown -----	2,923 35 6	1,271 35 0	4,194 70 6
Butler -----	3,220 29 0	3,861 46 8	7,081 75 8
Carroll -----	2,337 71 5	455 74 0	2,833 45 5
Champaign -----	2,216 21 0	1,129 00 6	3,345 21 6
Clark -----	2,197 98 5	1,320 12 2	3,518 10 7
Clermont -----	3,103 08 7	1,349 51 5	4,452 60 2
Clinton -----	2,022 17 9	879 43 3	2,901 61 2
Columbiana -----	4,953 10 7	2,878 13 2	7,831 23 9
Coshocton -----	2,848 21 0	841 37 0	3,689 58 0
Crawford -----	1,978 43 8	600 45 1	2,578 88 9
Cuyahoga -----	3,667 23 3	1,148 88 0	4,808 11 3
Darke -----	2,083 58 5	399 72 9	2,483 31 4
Defiance -----	903 70 0		903 70 0
Delaware -----	3,350 11 0	1,039 01 0	4,389 12 0
Erie -----	1,634 67 9	508 55 8	2,143 23 7
Fairfield -----	3,734 24 7	2,718 90 9	6,453 15 6
Franklin -----	3,249 17 0	1,098 15 6	4,347 32 6
Fayette -----	1,431 11 5	622 38 5	2,053 50 0
Gallia -----	1,733 65 7	186 92 7	1,920 58 4
Geauga -----	2,066 48 0	642 87 0	2,709 35 0
Greene -----	2,319 95 5	672 74 8	2,992 70 3
Guernsey -----	3,735 92 9	1,127 75 4	4,863 68 3
Hamilton -----	8,216 01 7	5,048 22 5	13,264 24 2
Hancock -----	1,580 56 4	509 74 8	2,090 31 2
Harrison -----	2,410 52 0	1,511 43 6	3,921 95 6
Hardin -----	783 26 9	94 87 3	833 14 2
Henry -----	225 43 0	62 65 3	288 08 3
Hocking -----	1,573 83 4	254 21 5	1,828 04 9
Holmes -----	2,486 78 7	1,000 31 5	3,487 10 2
Highland -----	2,685 86 5	1,168 06 5	3,853 93 0
Huron -----	2,848 21 0	886 07 0	3,734 28 0
Jackson -----	1,488 31 5	223 85 8	1,712 17 3
Jefferson -----	2,970 74 0	2,913 52 7	5,884 26 7
Knox -----	3,917 90 3	1,155 22 1	5,073 12 4
Lake -----	1,607 76 0	500 17 8	2,107 93 8
Lawrence -----	1,451 58 4	161 93 6	1,613 52 0

## STATEMENT—Continued.

Counties.	Com. School Fund.	Special Fund.	Total.
Licking -----	\$4,655 61 0	\$1,387 49 4	\$6,043 10 4
Logan -----	1,888 99 4	819 95 1	2,708 94 5
Lorain -----	2,614 08 5	813 24 0	3,427 32 5
Lucas -----	1,414 29 0	10 36 0	1,424 65 0
Madison -----	1,199 79 0	521 78 3	1,721 57 3
Marion -----	1,908 06 0	465 43 8	2,373 49 8
Medina -----	2,586 32 6	804 60 7	3,390 93 3
Meigs -----	1,721 60 0	310 90 7	2,032 50 7
Mercer -----	911 27 0		911 27 0
Miami -----	2,669 32 0	1,532 24 4	4,201 56 4
Monroe -----	3,013 64 0	294 28 3	3,307 92 3
Montgomery ----	3,972 29 9	3,813 01 2	7,785 31 1
Morgan -----	3,195 05 5	571 12 1	3,766 17 6
Muskingum ----	4,940 48 9	1,464 40 0	6,404 88 9
Ottawa -----	318 80 4		318 80 4
Paulding -----	89 44 4		89 44 4
Perry -----	2,555 92 5	794 51 4	3,350 43 9
Pickaway -----	2,396 50 0	3,159 36 7	5,555 86 7
Pike -----	995 10 7	278 67 7	1,273 78 4
Portage -----	2,891 67 0	899 59 9	3,791 26 9
Preble -----	2,377 99 6	2,971 24 9	5,349 24 5
Putnam -----	884 63 0	196 08 1	1,080 71 1
Richland -----	5,896 62 0	2,854 72 4	8,751 34 4
Ross -----	3,250 85 0	2,041 06 9	5,291 91 9
Sandusky -----	1,557 28 6	233 00 5	1,790 29 1
Scioto -----	1,578 60 0	201 97 5	1,780 57 5
Seneca -----	2,826 06 0	1,105 26 0	3,931 32 0
Shelby -----	1,429 43 0	355 39 4	1,784 82 4
Stark -----	4,524 10 8	3,263 73 7	7,787 84 5
Summit -----	3,015 04 4	1,400 45 9	4,415 50 3
Trumbull -----	5,109 56 5	1,589 59 0	6,699 15 5
Tuscarawas ----	3,625 73 6	1,118 83 4	4,744 57 0
Union -----	1,262 60 0	549 10 1	1,811 70 1
Vanwert -----	320 76 7		320 76 7
Warren -----	2,717 54 9	2,608 00 6	5,325 55 5
Washington ----	2,813 16 0	689 78 5	3,502 94 5
Wayne -----	4,644 95 7	4,685 36 8	9,330 32 5
Williams -----	557 69 7	10 06 0	567 75 7
Wood -----	869 49 0	5 09 0	874 58 0
Wyandott -----	903 70 0		903 70 0
	\$200,000 01 5	\$87,059 06 1	\$287,069 06 6





**STATEMENT OF Tolls, Water Rents and Fines, collected at each of the several Offices on the Ohio Canals, and paid into the State Treasury, during the Quarter ending February 15th, 1846.**

Name of Work.	Office.	Tolls Collect- ed.	Water Rents Collected.	Fines Collect'd	Total Amount Collected.	Tolls Re- funded.	Salary, Of- fice Rent and Clerk hire.	Post'ge and Incidental Expenses.	Am't paid into Treasury.	Total Am't.
Ohio Canal.....	Cleveland.....	\$6,000 32	\$357 50	.....	\$6,357 82	\$19 80	\$371 63	\$0 75	\$5,965 64	\$6,357 82
	Akron.....	1,265 80	8,023 75	.....	9,289 55	4 10	.....	.....	9,285 45	9,289 55
	Massillon.....	556 15	212 50	.....	768 65	.....	43 75	1 15	691 01	635 91
	Dover.....	956 69	.....	.....	956 69	.....	43 75	9 00	903 94	956 69
	Roscoe.....	695 96	987 50	.....	1,683 46	.....	37 50	.....	1,645 96	1,683 46
	Dresden.....	1,206 85	.....	.....	1,206 85	.....	20 17	.....	1,186 68	1,206 85
	Newark.....	2,012 37	5 64	.....	2,018 01	4 40	39 58	.....	1,974 03	2,018 01
	Carroll.....	982 86	20 00	.....	1,002 86	.....	66 66	.....	936 20	1,002 86
	Columbus.....	1,705 41	250 00	.....	1,955 41	2 39	75 00	25	1,878 77	1,956 41
	Circleville.....	3,454 43	500 00	.....	3,954 43	10 85	125 02	.....	3,818 56	3,954 43
	Chillicothe.....	4,090 14	632 67	\$1 00	4,723 81	78	124 98	.....	4,598 05	4,723 81
	Portsmouth.....	4,716 80	.....	.....	4,716 80	22 11	166 50	100 00	4,428 19	4,716 80
	Totals.....	27,644 78	10,989 56	1 00	38,635 34	64 43	1,114 54	111 15	37,212 48	38,502 60
Miami Canal.....	Cincinnati.....	3,633 07	5,481 04	.....	8,514 11	12 50	183 28	218 20	8,100 13	8,514 11
	Hamilton.....	971 06	335 00	.....	1,326 06	12 90	50 01	.....	1,263 15	1,326 06
	Middletown.....	1,588 64	200 00	.....	1,788 64	38 32	108 24	.....	1,642 08	1,788 64
	Dayton.....	4,422 45	1,145 00	.....	5,567 45	12 12	112 50	.....	5,442 83	5,567 45
	Totals.....	10,015 22	7,181 04	—	17,196 26	75 84	454 03	218 20	16,448 19	17,196 26
Miami Ex. Canal.....	Dayton.....	1,038 44	185 50	.....	1,223 94	.....	25 00	.....	1,198 94	1,223 94
	Piqua.....	1,345 63	5 00	.....	1,350 63	5 37	75 00	.....	1,270 26	1,350 63
	Junction.....	752 36	.....	.....	752 36	12 02	16 67	.....	723 67	752 36
	Totals.....	3,136 43	190 50	—	3,326 93	17 39	116 67	—	3,192 87	3,326 93



**STATEMENT of Tolls, Water Rents and Fines, collected at each of the several Offices on the Ohio Canals, and paid into the State Treasury, during the Quarter ending May 15th, 1846.**

Name of Work.	Office.	Tolls Collect- ed.	Water Rents Collected.	Fines Collect'd.	Total Amount Collected.	Tolls Re- funded.	Salary, Of- fice Rent and Clerk hire.	Post'ge and Incidental Expenses.	Am't paid into Treasury.	Total Am't.
Ohio Canal.....	Cleveland .....	\$4,681 22	.....	.....	\$4,681 22	\$35 63	\$328 37	\$205 30	\$4,111 87	\$4,681 22
	Akron .....	4,643 21	\$306 21	.....	4,949 42	18 19	358 78	168 10	4,404 35	4,949 42
	Massillon.....	2,223 57	312 50	.....	2,536 07	245 21	218 75	85	2,071 26	2,536 07
	Dover.....	2,401 59	.....	.....	2,401 59	.....	218 71	.....	2,182 88	2,401 59
	Roscoe.....	1,202 37	62 50	.....	1,264 87	1 20	185 41	25	1,078 01	1,264 87
	Dresden.....	3,073 03	.....	.....	3,073 03	42 57	104 16	.....	2,923 50	3,073 23
	Newark .....	4,611 51	120 00	.....	4,731 51	31 03	200 00	12	4,500 37	4,731 52
	Carroll .....	5,547 01	.....	.....	5,547 01	35 98	133 34	1 50	5,376 19	5,547 01
	Columbus .....	4,033 92	.....	\$5 00	4,038 92	11 21	83 34	.....	3,926 87	4,021 42
	Circleville .....	2,549 19	.....	.....	2,549 19	60	124 98	.....	2,423 61	2,549 19
Miami Canal....	Chillicothe .....	3,538 05	.....	.....	3,538 05	17 88	124 98	.....	3,395 19	3,538 05
	Portsmouth.....	7,090 35	.....	10 00	7,090 35	25 03	166 50	135 58	6,763 24	7,090 35
	Totals .....	45,585 02	801 21	15 00	46,401 23	464 58	2,247 32	511 70	43,157 34	46,380 94
Miami Canal....	Cincinnati.....	3,665 46	802 13	.....	4,467 59	25 62	122 20	123 67	4,196 10	4,467 59
	Hamilton.....	2,716 81	.....	.....	2,716 81	7 18	16 66	.....	2,692 67	2,716 51
	Middletown .....	3,685 78	.....	.....	3,685 78	20 80	113 82	.....	3,551 16	3,685 78
	Dayton .....	7,650 50	.....	.....	7,650 50	5 32	119 89	10 82	7,514 56	7,650 50
	Totals .....	17,718 55	802 13	—	18,520 68	58 92	372 48	134 49	17,954 49	18,520 38
Miami Ex. Canal {	Dayton .....	1,647 62	62 50	.....	1,710 12	.....	14 58	.....	1,695 54	1,710 12
	Piqua .....	3,071 83	.....	.....	3,071 83	8 73	18 83	.....	2,979 76	3,071 83
	Junction .....	644 84	.....	.....	644 84	7 39	91 67	.....	547 85	646 91
	Totals .....	5,364 29	62 50	—	5,426 79	16 12	189 50	—	5,223 15	5,428 86

<i>W. &amp; Erie Canal.</i>	Junction .....	11,151 73	150 00	.....	11,301 73	1 32	133 33	16 63	11,150 44	11,301 72
	Maumee City.	930 06	500 00	.....	1,430 06	60 58	183 33	.....	1,221 82	1,465 73
	Toledo .....	4,005 50	93 75	5 00	4,104 25	69 16	247 91	149 20	3,637 98	4,104 25
	Totals .....	16,087 28	743 75	5 00	16,836 03	131 06	564 57	165 83	16,010 24	16,871 70
<i>Musk. Impr. ent.</i>	Dresden .....	1,117 48	.....	.....	1,117 48	3 54	66 66	.....	1,047 28	1,117 48
	Zanesville .....	3,953 12	187 51	.....	4,140 63	15 91	109 66	.....	4,014 56	4,140 63
	M'Connellsville	2,333 28	322 50	.....	2,655 78	8 86	119 64	1 12	2,526 16	2,655 78
	Harmar .....	4,646 03	354 00	.....	5,000 03	6 66	87 48	1 97	4,905 03	5,000 03
	Totals .....	12,049 91	864 01	—	12,913 92	33 86	383 44	3 59	12,493 03	12,913 92
<i>Hocking Canal.</i>	Carroll .....	538 80	.....	.....	538 80	21 67	33 34	.....	483 79	538 80
	Nelsonville ...	824 14	.....	.....	824 14	10	106 88	2 30	714 81	824 09
	Totals .....	1,362 94	—	—	1,362 94	21 77	140 22	2 30	1,198 60	1,362 89
<i>Walbonding Canal</i>	Roscoe .....	141 29	.....	.....	141 29	.....	41 67	.....	99 62	141 29
	Totals .....	98,309 28	3,273 60	20 00	101,602 88	726 31	3,939 29	817 91	96,136 47	101,559 98

**STATEMENT of Tolls, Water Rents and Fines, collected at the several Offices on the Ohio Canals, and paid into the State Treasury, during the Quarter ending August 15th, 1846.**

Name of Work.	Office.	Tolls Collect- ed.	Water Rents Collected.	Fines Collected.	Total Amount Collected.	Tolls Re- funded.	Salary, Of- fice Rent and Clerk hire.	Post'ge and Incidental Expenses.	Am't paid into Treasury.	Total Am't.
Ohio Canal.....	Cleveland .....	\$21,242 81	\$357 50	\$22 22	\$21,622 53	\$113 68	\$500 00	\$100 15	\$20,908 70	\$21,622 53
	Akron .....	7,686 33	.....	2 00	7,688 33	6 01	193 74	87 51	7,401 07	7,688 33
	Massillon.....	3,137 91	.....	.....	3,137 91	15 18	131 25	1 55	2,989 93	3,137 91
	Dover .....	3,901 91	.....	25 00	3,926 91	34 59	131 25	.....	3,761 07	3,926 91
	Roscoe.....	3,170 20	1,375 50	.....	4,545 70	11	106 25	.....	4,439 34	4,545 70
	Dresden.....	8,046 50	.....	.....	8,046 50	23 26	112 50	.....	7,911 74	8,046 50
	Newark .....	8,308 56	.....	2 00	8,310 56	3 38	124 99	.....	8,182 19	8,310 56
	Carroll.....	8,089 71	.....	11 00	8,100 71	91	100 01	.....	7,999 79	8,100 71
	Columbus.....	4,711 88	.....	.....	4,711 88	41 47	87 51	.....	4,582 90	4,711 88
	Circleville.....	7,753 31	500 00	6 00	8,259 31	3 44	124 98	.....	8,130 88	8,259 31
	Chillicothe ...	7,581 84	720 00	.....	8,301 84	7 34	124 98	.....	8,169 52	8,301 84
Miami Canal...	Portsmouth...	7,874 88	100 00	25 00	7,999 88	33 88	166 50	105 00	7,694 50	7,999 88
	Totals .....	91,505 84	3,053 00	93 22	94,652 06	282 25	1,993 77	204 21	92,171 63	94,652 06
	Cincinnati.....	18,128 91	5,004 82	.....	23,133 73	47 91	300 00	255 73	22,530 48	23,134 12
Miami Canal...	Hamilton.....	690 39	110 00	.....	800 39	.....	116 66	.....	624 14	740 80
	Middletown ..	2,273 55	350 00	2 50	2,626 05	4 09	124 98	.....	2,497 08	2,626 15
	Dayton .....	3,304 77	995 00	.....	4,299 77	4 41	162 51	3 00	4,129 85	4,299 77
Miami Ex. Canal	Totals .....	24,397 62	6,459 82	2 50	30,859 94	56 41	704 15	258 73	29,781 55	30,800 84
	Dayton .....	3,802 01	110 50	.....	3,912 51	.....	.....	.....	3,913 51	3,913 51
	Piqua .....	4,248 72	.....	.....	4,248 72	27 04	100 02	.....	4,121 66	4,248 72
Miami Ex. Canal	Junction .....	999 63	.....	4 40	1,004 03	3 75	50 00	.....	940 82	994 57
	Totals .....	9,050 36	110 50	4 40	9,165 26	30 79	150 02	—	8,975 99	9,156 80

<i>W. &amp; Erie Canal.</i>	Junction .....	22,471 61	150 00	2 00	22,623 61	13 05	99 99	.....	22,511 57	22,623 61
	Maumee City.....	925 08	.....	.....	925 08	.....	150 00	.....	760 26	910 26
	Toledo.....	19,043 87	590 00	46 20	19,639 07	103 20	243 75	99 99	16,102 00	16,549 03
	Totals .....	42,440 56	740 00	48 20	43,228 76	115 25	493 74	99 99	39,373 98	40,092 90
<i>Musk. Impr'mt.</i>	Dresden .....	401 28	.....	.....	401 28	64	.....	.....	400 64	401 28
	Zanesville.....	2,826 49	1,085 00	30 00	3,841 49	.....	116 15	.....	3,765 34	3,881 49
	M'Connellsville.....	797 39	.....	.....	797 39	1 71	75 00	2 90	717 78	797 39
	Harmar .....	2,765 10	180 00	.....	2,945 10	4 24	87 48	1 45	2,851 93	2,945 10
	Totals .....	6,790 26	1,265 00	30 00	8,025 26	6 59	278 63	4 35	7,735 69	8,025 26
<i>Hocking Canal.</i>	Carroll.....	462 17	175 00	.....	637 17	7 37	25 00	.....	604 42	637 19
	Nelsonville.....	1,137 00	.....	.....	1,137 00	.....	68 76	.....	1,066 26	1,075 02
	Totals .....	1,599 17	175 00	—	1,774 17	7 37	93 76	—	1,611 08	1,712 21
<i>Wal. Canal.....</i>	Roscoe.....	139 30	66 50	.....	905 80	.....	16 67	.....	189 13	205 80
	Totals .....	175,923 11	11,809 82	178 32	187,911 25	498 66	3,680 94	657 24	179,834 99	184,635 47

**STATEMENT of Tolls, Water Rents, and Fines, collected at the several Offices on the Ohio Canal, and paid into the State Treasury during the quarter ending November 15, 1846.**

Name of Work.	Office.	Tolls collected.	Water Rents collected.	Fines collected.	Total Amount collected.	Tolls refunded.	Salary, office rent, and clerk hire.	Postage and incidental expenses.	Amount paid into Treasury.	Total amount.
<i>Ohio Canal....</i>	Cleveland....	\$28,130 91	.....	\$65	\$28,195 91	\$105 74	\$200 00	\$100 30	\$27,789 87	\$28,195 91
	Akron.....	16,740 61	.....	24	16,764 61	6 88	193 74	87 51	16,476 48	16,764 61
	Massillon....	23,055 19	\$12 50	.....	23,067 69	36	131 25	7 04	22,929 04	23,067 69
	Dover.....	18,745 83	.....	.....	18,745 83	.....	131 25	.....	18,614 58	18,745 83
	Roscoe.....	10,341 90	.....	.....	10,341 90	1 97	106 26	1 50	10,232 17	10,341 90
	Dresden.....	10,813 82	.....	40	10,853 82	17 53	112 50	.....	10,723 79	10,853 82
	Newark.....	20,034 86	.....	.....	20,034 86	84	124 97	3 32	19,905 80	20,034 94
	Carroll.....	8,482 41	.....	10	8,492 41	2 13	66 67	.....	8,390 28	8,430 08
	Columbus....	3,050 09	.....	.....	3,050 09	1 03	87 51	7 19	2,954 36	3,050 09
	Circleville....	4,631 86	.....	33	4,714 86	7 61	124 98	.....	4,582 26	4,714 86
	Chillicothe ..	5,488 67	200 00	.....	5,688 67	48	124 98	3 86	5,559 35	5,688 67
	Portsmouth...	6,700 41	.....	.....	6,700 41	5 41	166 50	100 00	6,428 50	6,700 41
	Totals.....	156,956 56	212 50	172	156,651 06	149 98	1,570 63	310 72	154,586 48	156,617 81
<i>Miami Canal ..</i>	Cincinnati....	17,487 35	1,015 66	.....	18,503 01	115 49	225 00	166 89	17,995 63	18,503 01
	Hamilton.....	825 19	.....	.....	825 19	.....	75 00	3 00	525 35	603 35
	Middletown ..	2,522 06	.....	.....	2,522 06	.....	124 98	.....	2,397 08	2,522 06
	Dayton.....	4,625 14	.....	5	4,630 14	.....	162 51	15	4,467 48	4,630 14
	Totals.....	25,459 74	1,015 66	5	26,480 40	115 49	587 49	170 04	25,385 54	26,258 56
<i>Miami Ex. Canal</i>	Dayton ..	3,337 35	.....	.....	3,337 35	.....	.....	.....	3,306 35	3,336 35
	Piqua.....	5,306 50	.....	.....	5,306 50	12 97	100 02	.....	5,193 51	5,306 50
	Junction.....	1,250 07	.....	.....	1,250 07	.....	75 00	.....	1,175 07	1,250 07
	Totals.....	9,893 92	.....	.....	9,893 92	12 97	175 02	.....	9,704 93	9,892 92



W. & Erie Canal	Junction .....	19,937 01	3	19,375 01	99 10	99 09	19 03	19,933 89	10,375 01
	Maumee City.	460 56	5	746 81	4 00	100 00	10 31	544 39	711 63
	Toledo .....	23,577 46	.....	23,577 46	60 04	943 75	09 09	96,011 65	201,415 43
	Totals .....	43,635 03	8	43,619 28	123 14	443 74	131 33	45,483 46	401,009 07
Muskegon Improvement	Dresden .....	353 00	.....	353 00	70	.....	.....	351 59	353 31
	Zanesville .....	3,956 76	.....	3,901 76	16 77	119 50	.....	6,109 40	6,301 76
	M'Connellsville .....	1,101 33	.....	1,101 33	.....	75 00	1 45	1,084 44	1,101 33
	Harmar .....	2,640 31	.....	2,634 31	.....	47 48	19 50	2,514 33	2,634 31
Hocking Canal	Totals .....	8,090 40	.....	8,439 40	17 55	374 14	13 05	10,112 99	10,430 71
	Carroll .....	454 68	.....	454 68	1 14	23 01	.....	431 39	454 68
	Nelsonville .....	1,079 67	90	1,000 07	1 14	41 30	4 17	703 07	1,040 44
	Totals .....	1,534 35	90	1,534 35	3 16	106 37	4 17	1,910 30	1,910 30
Welland Canal	Roscoe .....	795 35	.....	795 35	.....	33 34	.....	795 01	795 35
	Totals .....	245,655 35	205	245,613 76	309 30	3,191 47	630 91	245,613 76	245,613 76

— AUD. REP.

**STATEMENT of Tolls, Water Rents and Fines, collected at each of the several Offices on the Ohio Canals, and paid into the State Treasury, during the year ending November 15th, 1816.**

Name of Work.	Office.	Tolls Collect- ed.	Water Rents Collected.	Fines Collect'd.	Total Amount Collected.	Tolls Re- funded.	Salary, Of- fice Rent and Clerk hire.	Post'ge and Incidental Expenses.	Am't paid into Treasury.	Total Am't.
<i>Ohio Canal.....</i>	Cleveland ....	\$60,055 26	\$715 00	\$37 22	\$60,857 48	\$374 90	\$1,400 00	\$406 50*	\$58,776 08	\$60,857 48
	Akron .....	30,335 96	8,329 96	26 00	38,691 91	35 18	746 26	843 12*	37,567 35	38,691 91
	Massillon.....	23,972 82	537 50	.....	20,510 32	260 75	525 00	10 59	23,551 24	23,377 58
	Dover .....	26,006 02	.....	25 00	26,031 02	34 59	524 96	9 00	25,462 47	26,031 02
	Roscoe .....	15,410 43	2,425 50	.....	17,835 93	3 28	435 42	1 75	17,305 48	17,835 93
	Dresden.....	23,140 20	.....	40 00	23,180 20	82 36	349 33	2 80	22,745 71	23,180 20
	Newark .....	34,967 30	125 64	2 00	35,094 94	39 65	489 55	3 44	34,562 39	35,095 03
	Carroll.....	23,101 99	20 00	21 00	23,142 99	39 02	400 01	1 50	22,702 46	23,142 99
	Columbus .....	13,502 30	250 00	5 00	13,757 30	56 10	333 36	7 44	13,342 90	13,739 80
	Circleville .....	18,438 79	1,000 40	39 00	19,477 79	23 50	499 98	.....	18,955 31	19,477 79
	Chillicothe .....	20,698 70	1,532 67	1 00	22,232 37	26 48	499 92	3 86	21,722 11	22,252 37
	Portsmouth.....	26,372 44	100 00	35 00	26,507 44	86 43	666 00	440 58*	25,314 43	26,507 44
	Totals .....	321,002 20	15,056 27	281 22	336,339 69	961 24	6,869 79	1,230 58	327,127 93	336,189 54
<i>Miami Canal .....</i>	Cincinnati.....	42,314 79	12,303 65	.....	54,618 44	201 59	830 48	764 43*	52,822 34	54,618 83
	Hamilton .....	5,203 45	465 00	.....	5,668 45	20 08	238 33	3 00	5,105 31	5,386 72
	Middletown .....	10,070 03	550 00	2 50	10,622 53	63 21	472 02	.....	10,067 40	10,622 63
	Dayton .....	20,002 86	2,140 00	5 00	22,147 86	21 85	537 32	13 97	21,554 72	22,147 86
<i>Miami Ex. Canal</i>	Totals .....	77,591 13	15,458 65	7 50	93,057 28	306 66	2,118 15	781 46	89,569 77	92,776 04
	Dayton .....	9,925 42	358 50	.....	10,183 92	.....	39 58	.....	10,144 34	10,183 92
	Piquette.....	13,972 68	5 00	.....	13,977 68	54 11	358 38	.....	13,465 19	13,977 68
	Junction .....	3,645 90	.....	4 40	3,651 30	23 16	233 34	.....	3,387 41	3,643 91
Totals.....		37,445 00	363 50	4 40	27,812 90	77 27	631 30	—	27,096 94	27,805 51

<i>W. &amp; Erie Canal</i> {	Junction .....	58,774 33	450 00	10 00	59,224 33	67 92	338 31	28 66	58,779 54	59,224 33
	Maumee City .....	2,550 32	1,125 00	5 00	3,680 32	64 58	466 66	19 31	3,674 77	3,675 32
	Toledo .....	49,764 44	683 75	51 20	50,439 39	240 65	777 07	506 00*	49,514 42	50,034 14
	Totals .....	111,089 09	2,258 75	66 20	113,414 04	373 05	1,602 04	553 97	110,368 73	112,827 79
<i>Musk. Impr't.</i> {	Dresden .....	2,008 78	.....	.....	2,008 78	4 97	83 32	.....	1,924 31	2,012 69
	Zanesville .....	12,691 64	3,678 90	30 00	16,400 54	51 43	446 55	.....	15,902 06	16,400 54
	McConneville .....	4,474 07	322 50	.....	4,797 47	10 57	255 83	5 47	4,495 69	4,797 47
	Harmar .....	11,300 64	588 00	.....	11,897 64	9 79	349 92	19 72	11,518 21	11,897 64
<i>Hocking Canal.</i> {	Totals .....	30,485 03	4,589 40	30 00	35,104 43	76 76	1,165 62	25 69	33,840 18	35,104 25
	Carroll .....	1,561 42	175 00	.....	1,736 42	30 22	100 02	.....	1,634 03	1,734 27
	Nelsonville .....	3,627 12	.....	20 00	3,647 12	2 06	297 94	6 47	3,658 89	3,665 34
	Totals .....	5,188 54	175 00	20 00	5,363 54	32 30	397 96	6 47	4,962 92	5,089 65
<i>Washington Canal</i>	Roscoe .....	1,124 21	66 50	.....	1,190 71	.....	100 02	.....	1,090 69	1,190 71
	Grand Totals .....	573,925 20	37,968 07	409 32	612,302 59	1,827 28	12,884 88	2,598 17	593,757 16	611,067 49

\* The column of Incidental Expenses includes salaries of Inspectors.

STATEMENT of moneys paid into the State Treasury, arising from Tolls, Water Rents, and Fines, on the several Canals belonging to the State of Ohio, from the year 1827 up to the 15th November, 1846:

Year.	Ohio Canal.	Miami Canal.	Miami Extension Canal.	Wabash and Erie Canal.	Muskingum Improvement.	Hocking Canal.	Walhonding Canal.	Total amount.
1827	.....	.....	.....	.....	.....	.....	.....	\$563 39
1828	.....	.....	.....	.....	.....	.....	.....	12,178 51
1829	.....	.....	.....	.....	.....	.....	.....	73,566 47
1830	\$24,336 35	\$49,230 13	.....	.....	.....	.....	.....	94,619 15
1831	61,700 01	32,919 14	.....	.....	.....	.....	.....	104,284 53
1832	72,909 25	31,375 28	.....	.....	.....	.....	.....	170,358 44
1833	124,331 90	46,026 54	.....	.....	.....	.....	.....	186,932 76
1834	143,427 65	43,505 11	.....	.....	.....	.....	.....	228,759 32
1835	186,522 89	51,134 25	.....	.....	.....	.....	.....	336,943 67
1836	190,848 11	46,095 56	.....	.....	.....	.....	.....	336,714 40
1837	982,407 28	54,307 13	.....	.....	.....	.....	.....	435,049 34
1838	361,366 07	74,583 27	.....	.....	.....	.....	.....	478,933 51
1839	389,153 22	79,780 29	.....	.....	.....	.....	.....	503,473 91
1840	425,971 85	67,917 06	\$3,471 36	.....	\$4,215 50	\$1,898 14	.....	472,595 55
1841	389,360 45	63,770 91	4,024 35	.....	7,683 50	2,118 29	.....	480,578 61
1842	397,024 04	58,150 23	4,043 03	\$637 97	15,726 36	3,813 65	.....	439,076 02
1843	313,111 34	69,931 71	7,245 43	899 04	20,754 76	3,949 00	\$547 55	509,676 64
1844	338,367 31	74,904 20	12,053 18	38,473 52	28,941 11	4,965 90	610 39	463,598 51
1845	262,199 01	74,319 78	32,007 47	49,266 56	98,461 26	4,519 73	1,183 89	595,479 02
1846	328,016 93	89,569 77	27,096 94	73,907 44	34,037 18	5,145 85	1,090 69	\$5,827,281 89
	\$4,291,053 86	\$1,003,520 34	\$89,941 76	\$257,706 27	\$130,119 67	\$26,370 57	\$5,350 82	

\*Previous to the year 1829, the net amount of tolls, after deducting the expenses of collection, was deposited by the collectors, directly, to the credit of the Fund Commissioners, without passing through the State Treasury.

The following tabular statement exhibits the amounts received by the collectors on each of the Ohio canals, for tolls, water rents, and fines; the amount paid to collectors and inspectors, and for incidental expenses; net amount paid into the State Treasury; amount paid to engineers and lock-tenders, and for superintendence and repairs, and the balance remaining. From the year 1827 up to the 15th November, 1846.

## OHIO CANALS.

Year.	Am't received for tolls, water rents & fines, exclusive of tolls remitted.	Collectors' and Inspectors' salaries, and expenses of collection.	Net amount paid into the State Treasury.	Amount of charges due for payment to engineers, lock-tenders, and for superintendence and repairs.*	Amount paid to Treasury to engineers, lock-tenders, and for superintendence and repairs.*	Balance remaining, applicable to use payment and interest on the public debt.
1827	\$1,500 00	\$27 00	.....	.....	.....	.....
1828	4,000 00	30 00	\$563 30	.....	.....	.....
1829	7,000 00	13 00	.....	.....	.....	.....
1830	30,413 00	1,300 00	24,336 30	.....	.....	.....
1831	64,564 17	2,100 00	61,500 01	.....	.....	.....
1832	72,222 40	3,000 00	72,000 25	.....	.....	.....
1833	130,000 52	5,000 63	124,331 00	\$23,741 26	.....	\$10,590 64
1834	164,400 00	5,000 00	143,427 60	71,553 49	.....	71,574 16
1835	186,300 02	5,000 64	186,322 50	75,575 10	.....	110,647 79
1836	197,403 56	6,000 45	190,540 11	84,846 51	.....	106,001 30
1837	240,151 61	7,774 40	232,407 20	115,680 22	.....	166,718 46
1838	360,250 30	7,000 31	351,500 07	124,344 00	.....	163,621 08
1839	400,235 74	9,000 52	390,153 22	185,627 13	.....	203,526 09
1840	435,215 55	9,246 70	425,971 65	113,002 95	\$76,842 87	312,968 90
1841	416,520 20	9,100 04	399,360 45	124,263 49	121,998 15	265,096 96
1842	412,650 00	9,940 36	397,024 04	124,217 51	125,445 34	267,806 53
1843	324,259 61	11,145 47	313,111 34	114,207 77	106,323 14	196,213 57
1844	343,710 99	8,442 49	338,367 31	113,209 72	104,310 29	225,157 59
1845	259,613 11	8,280 15	252,199 01	117,308 84	124,183 91	134,800 17
1846	335,373 45	8,100 37	325,016 93	69,371 50	76,557 65	258,645 43

\*The amounts in these columns also include checks drawn and payments made for awards of damages.

## STATEMENT — Continued.

## MIAMI CANAL.

Year.	Amount received for tolls, water rents, & fines, exclusive of tolls refunded.	Collectors' and Inspectors' salaries, and incidental expenses of collection.	Net amount paid into the State Treasury.	Amount of checks issued for payment of engineers and lock tenders, and for superintendence and repairs.	Amount paid at Treasury to engineers, lock tenders, and for superintendence and repairs.	Balance remaining, applicable to the payment of interest on the public debt.
1828	\$6,663 23*	.....	.....	.....	.....	.....
1829	19,946 54	\$1,200 00	.....	\$10,329 59	.....	.....
1830	30,110 34	1,200 00	40,230 12†	6,038 05	.....	42,292 07
1831	36,727 98	3,808 84	32,919 14	6,605 06	.....	26,314 08
1832	36,804 39	5,429 11	31,375 28	9,237 91	.....	22,137 37
1833	49,946 54	3,920 00	46,026 54	5,668 83	.....	40,357 71
1834	50,040 99	2,225 00	43,505 11	7,940 37	.....	35,564 74
1835	52,232 59	2,954 68	51,134 25	16,927 57	.....	34,206 68
1836	49,754 60	3,659 04	46,095 56	23,768 77	.....	17,326 79
1837	60,532 55	2,745 83	54,307 12‡	46,556 91	.....	7,750 21
1838	79,142 99	4,559 72	74,583 27	32,637 25	.....	41,926 02
1839	82,722 38	2,942 09	79,780 29	44,991 19	.....	34,789 10
1840	71,079 62	3,162 56	67,917 06	22,553 55	14,815 00	45,363 51
1841	71,443 60	2,672 61	68,770 91	50,780 55	64,511 24	17,990 36†
1842	61,887 91	2,925 99	58,525 23	20,634 70	21,600 69	37,890 53
1843	63,928 52	2,969 81	60,931 71	36,326 05	37,891 39	24,605 66
1844	77,844 25	2,973 38	74,904 20	22,341 04	14,607 14	52,563 16
1845	77,158 53	2,638 67	74,319 78	53,521 70	36,040 88	20,798 08
1846	92,750 62	2,899 61	89,569 77	54,344 29	106,265 23‡	35,225 48

## MIAMI EXTENSION CANAL.

1837	1,832 97	.... \$ ....	.....	.....	.....	.....
1838	3,749 64	.....	.....	.....	.....	.....
1839	.....	.....	.....	.....	.....	.....
1840	3,671 99	200 63	3,471 36	.....	.....	.....
1841	4,230 57	206 22	4,024 35	.....	.....	.....
1842	4,371 06	209 22	4,043 03	.....	.....	.....
1843	7,452 29	206 88	7,245 43	8,579 64	.....	.....
1844	12,723 22	670 04	12,053 18	14,740 51	.....	.....
1845	32,479 15	487 43	32,007 47	35,222 65	.....	.....
1846	27,735 63	631 30	27,096 94	13,015 18	†	14,081 76

\*Those amounts up to the year 1832, inclusive, are made up to the 1st of December in each year, being the gross amount collected at the several collectors' offices on the line. After the year 1832 to the year 1841, inclusive, the amount is made up to the 1st day of November, and from that time forward to the 15th of November in each year.

†This amount includes tolls collected in previous years.

‡Occasioned by the delinquency of N. Seamans, Collector at Cincinnati.

§This sum includes the amount paid for superintendence and repairs on the Miami Extension Canal, as well as that on the Miami Canal.

NOTE.—In some cases, the money paid into the State Treasury includes money which had been received by the collector in a previous year, but had not reached the Treasury at the close of the fiscal year; and in some cases, money collected within the year had not reached the Treasury at the close of the year.

§The years 1837, '38, and '39, are included in the Miami Canal.

†The amount paid for repairs, &c., for the year 1846, is included in the Miami Canal. Previous to the year 1846, the payments made at the Treasury were in part for construction as well as repairs.

## STATEMENT — Continued.

## WABASH AND ERIE CANAL.

Year.	Amount received for tolls, water rents, & fines, exclusive of tolls refunded.	Collectors' and Inspectors' salaries, and incidental expenses of collection.	Net amount paid into the State Treasury.	Amount of checks issued for payment of engineers, and locktenders, and for superintendence and repairs.	Amount paid at Treasury to engineers, lock tenders, and for superintendence and repairs.	Balance remaining, applicable to the payment of interest on the public debt.
1841	\$1,269 34	\$278 47	\$637 97	.....	.....	.....
1842	5,666 11	557 73	899 04	.....	.....	.....
1843	33,844 68	1,371 16	32,473 52	.....	.....	.....
1844	48,589 20	1,836 06	49,266 56	\$12,816 87	.....	.....
1845	75,767 06	1,662 70	73,907 44	13,198 63	\$51,659 04	.....
1846	113,040 99	2,156 01	110,521 73	7,940 53	16,887 87	102,581 20

## MUSKINGUM IMPROVEMENT.

1840	4,236 80	21 30	4,215 50	.....	.....	.....
1841	8,171 26	487 47	7,683 50	.....	.....	.....
1842	17,039 02	1,312 66	15,726 36	.....	.....	.....
1843	22,340 98	1,586 22	20,754 76	.....	.....	.....
1844	20,384 64	1,143 59	28,241 11	15,027 38	.....	13,213 73
1845	29,808 18	1,184 43	28,461 26	34,256 44	19,664 82	.....
1846	35,027 67	1,191 31	34,037 18	35,805 96	20,425 60	.....

## HOCKING CANAL.

1840	5,953 69	55 55	1,898 14	.....	.....	.....
1841	2,518 26	399 97	2,118 29	.....	.....	.....
1842	4,215 07	401 38	3,813 66	.....	.....	.....
1843	4,349 33	400 33	3,949 00	.....	.....	.....
1844	5,286 44	360 54	4,925 90	4,139 41	54,868 39	.....
1845	5,497 83	495 40	4,519 73	5,580 04	9,453 49	.....
1846	5,351 24	404 43	5,145 65	4,701 13	2,989 99	444 72

## WALHONDING CANAL.

1842	557 55	10 00	547 55	.....	.....	.....
1843	610 32	.....	610 32	.....	.....	.....
1844	1,976 78	58 34	1,918 44	1,238 10	3,400 00	.....
1845	1,282 95	99 73	1,183 82	3,137 61	2,747 75	.....
1846	1,190 71	100 02	1,090 69	1,383 54	1,106 25	.....

## CONTENTS OF AUDITOR'S REPORT.

### GENERAL RECEIPTS AND EXPENDITURES.

#### ESTIMATES AND APPROPRIATIONS.

	Page.
Introduction .....	5
General statement of receipts and expenditures for 1846.....	6
Remarks upon the finances, taxes, &c.....	7
Estimates for 1847.....	15
Remarks upon estimates, taxes, &c.....	16
General Revenue, receipts and disbursements.....	17
School and Trust Funds, account of.....	20
Surplus Revenue, account of.....	23
National Road Funds, account of.....	25
Three Per Cent. Fund.....	25
Appropriations and expenditures for 1846.....	25
Statement of appropriations for 1846.....	33
Balances in the treasury.....	34

#### DEPARTMENT OF PUBLIC WORKS.

Amount received from taxes, tolls, dividends, lands sold, incidental items, and surplus revenue.....	35
Disbursements, stocks redeemed, contracts and repairs on canals, Interest and expenses paid, and contingences .....	39
Synopsis of accounts in Department of public works, canal tolls received and disbursed, and contingent expenses.....	40
Sinking Fund.....	44
Lands sold, account of .....	45
Treasurer's account in Department of public works.....	46
State debt, domestic and foreign bonds redeemed, and interest on State debt	47

#### APPENDIX.

Statement of value of property, real and personal, and taxes levied on the duplicates of 1846 .....	52
Statement of the number and value of domestic animals returned by the township assessors for 1846 .....	60
Statement of enumerated and unenumerated articles, merchants' and man- ufacturers' stock, and moneys and credits.....	64



	Page.
Statement of number of acres of land, average value per acre, and total value of lands and townlots on duplicate of 1846.....	67
Statement of number of acres of land returned by the district assessors, and the value of lands and towns as equalized by the State Board of Equalization .....	69
Value of the several species of property and estimate of taxes assessed thereon for the years 1843, '44, '45 and '46, and estimate of the several species of property, and of the taxes which will be assessed thereon for the year 1847 .....	71
Statement of bank stock and taxes paid by banks in 1846.....	72
School and trust Funds distributed.....	75
Quarterly and yearly statements of tolls, water-rents, and fines received during the year 1846.....	78
Statement of tolls, water-rents and fines upon the canals paid into the treasury from 1827 to 1846, inclusive.....	83
Statement of tolls, water-rents and fines paid to collectors on each of the canals; expenses paid to collectors; checks issued for repairs, and checks redeemed at the treasury each year from 1827 to 1846, inclusive	89

# ANNUAL REPORT

## OF THE

### TREASURER OF STATE.

TREASURY OFFICE, OHIO,  
Columbus, December 9th, 1846.

*To the Honorable General Assembly of the State of Ohio:*

The Treasurer of State, in compliance with the duties assigned him by law, submits to the Honorable General Assembly of the State of Ohio, the following statement of the receipts and disbursements of the public moneys, during the year ending Nov. 15, 1846:

#### GENERAL REVENUE.

Balance in the Treasury, Nov. 15, 1845-----	\$86,308 98 2
Amount received from county treasurers -----	979,299 27 0
Amount of taxes paid through this office-----	24,662 12 0
Amount received of Ohio banks, being the amount of expenses paid by the State under the Act to incorporate the State Bank of Ohio and oth- er Banking companies -----	5,432 28 0
Amount of costs received in State prosecutions--	38 00 0
	<hr/>
	\$1,095,740 65 2

From which deduct the following amounts, viz:

Amount transferred to Canal Fund, being the amount of canal tax col- lected on the grand levy for 1845, and arrears and forfeitures received since Nov. 15, 1845 -----	\$757,810 46
Amount transferred to State Common School Fund, being taxes collected on the grand levy for 1845, and ar- rears and forfeitures received since Nov. 15, 1845 -----	68,891 86

Amount transferred to State Common School Fund, being taxes collected from lawyers and physicians for 1845-----	4,909 21	
Amount transferred to State Common School Fund, being amount of peddlers' licenses collected for the year 1845-----	4,791 67	
Amount transferred to State Common School fund, being amount of auction duties collected for the year 1845-----	1,120 44	
Amount transferred to State Common School Fund, being State common schools' proportion of taxes paid through this office-----	690 53	
Amount transferred to Canal Fund, being the canals' proportion of taxes paid through this office-----	7,595 88	
Amount of treasury bills redeemed--	192,701 59	
		1,038,511 64 0
Balance in the Treasury, Nov. 15, 1846-----		\$57,229 01 2

*State Common School Fund.*

Balance in the Treasury, Nov. 15, 1845-----	\$31,775 55 6
Interest on Surplus Revenue deposited with several counties-----	90,866 75 7
Amount transferred from revenue, being the State common schools' proportion of taxes collected on the grand levy for the year 1845-----	68,891 86
Amount transferred from revenue, being taxes collected from lawyers and physicians for the year 1845-----	4,909 21
Amount transferred from revenue, being peddlers' licenses collected during the year 1845-----	4,791 67
Amount transferred from revenue, being auction duties collected during the year 1845-----	1,120 44
Amount transferred from revenue, being the State Common School Fund's proportion of taxes paid through this office-----	690 53
Amount received of the following Banks, Insurance and Bridge companies, being tax upon their dividends, viz :	
Ohio Life Insurance and Trust Company, Cincinnati,	8,000 00
Lafayette Bank of Cincinnati-----	3,000 00
Clinton Bank of Columbus-----	1,500 00
Bank of Norwalk-----	1,100 00

Bank of Circleville-----	\$1,000 00
Bank of Wooster-----	623 62
Bank of Massillon-----	300 00
City Bank of Columbus-----	687 59
Dayton Bank-----	635 72
Commercial Bank of Cincinnati-----	1,051 05
Western Reserve Bank, Warren-----	234 29
City Bank of Cincinnati-----	227 80
City Bank of Cleveland-----	129 58
Sandusky City Bank-----	41 50
Canal Bank of Cleveland-----	49 40
Bank of Geauga, Painesville-----	221 16
Franklin Branch Bank, Columbus-----	998 12
Franklin Branch Bank, Cincinnati-----	820 67
Xenia Branch Bank-----	928 82
Chillicothe Branch Bank-----	1,075 87
Commercial Branch Bank, Cleveland-----	553 98
Dayton Branch Bank-----	583 30
Merchants' Branch Bank, Cleveland-----	401 48
Exchange Branch Bank, Columbus-----	529 23
Mechanics' and Traders' Branch Bank, Cincinnati-----	318 61
Commercial Branch Bank, Toledo-----	568 45
Toledo Branch Bank-----	374 95
Marietta Branch Bank-----	430 39
Summit County Branch Bank, Cuyahoga Falls-----	337 51
Delaware County Branch Bank, Delaware-----	443 66
Jefferson Branch Bank, Steubenville-----	383 59
Akron Branch Bank-----	282 00
Farmers' Branch Bank, Salem-----	88 26
Firemens' Insurance Company, Dayton-----	100 00
Portsmouth Insurance Company-----	141 25
Urbana and Champaign Mutual Insurance Company-----	128 85
Colerain and Venice Bridge Company-----	112 50
Defiance Bridge Company-----	38 87
Franklin Bridge Company-----	20 00
Miami Bridge Company-----	103 20
Zanesville and Putnam Bridge Company-----	33 60
Muskingum and Licking Bridge Company, Zanesville-----	70 00
South Toll Bridge Company-----	22 50
Whitewater Toll Bridge Company-----	66 30
Miamisburgh Toll Bridge Company-----	29 62
Federal Creek Bridge Company-----	5 00
Dayton Third Street Toll Bridge Company-----	35 31
Athens West Toll Bridge Company-----	16 62

---

\$231,890 17 3

Deduct the following amounts, viz:

Amount paid the several counties,	\$200,000 99 6	
Amount transferred to Surplus		
Revenue Interest Fund-----	198 03 1	
	<u>200,198 02 7</u>	
Balance in the Treasury, Nov. 15, 1846-----		<u>\$31,691 14 6</u>

*School Section Sixteen.*

Interest on the Irreducible Fund up to Jan. 1, 1846,	\$58,404 12 3	
Amount paid county treasurers-----	58,464 12 3	

*Virginia Military School Fund.*

Balance in the Treasury, Nov. 15, 1845-----	\$3,822 76 0	
Amount received from J. Smart, Register, being the amount received from rents of the Virginia Mil- itary School Lands-----	3,605 27 0	
Interest on the Irreducible Fund up to Jan. 1, 1846	8,041 95 5	
	<u>\$15,469 98 5</u>	
Deduct amount paid County Treasurers-----	11,864 71 5	
Balance in the Treasury, Nov. 15, 1846-----		<u>\$3,605 27 0</u>

*United States Military School Fund.*

Interest on the Irreducible Fund up to Jan. 1, 1846-	\$7,150 06 0	
Amount paid County Treasurers-----	7,150 06 0	

*Connecticut Western Reserve School Fund.*

Interest on the Irreducible Fund up to Jan. 1, 1846-	\$9,519 54 0	
Amount paid County Treasurers-----	9,519 54 0	

*Ministerial Section Twenty-Nine.*

Interest on the Irreducible Fund up to Jan. 1, 1846-	\$1,334 87 0	
Amount paid County Treasurers-----	1,334 87 0	

*Moravian School Fund.*

Interest on the Irreducible Fund up to Jan. 1, 1846-	\$60 57 0	
Amount paid Treasurer of Tuscarawas county-----	60 57 0	

*Ohio University Fund.*

Interest on the Irreducible Fund up to July 1, 1846--	\$113 81 0
Amount paid Treasurer of Ohio University-----	53 92 0
	<hr/>
Balance in the Treasury, Nov. 15, 1846-----	\$56 92 0
	<hr/>

*Commercial Hospital and Lunatic Asylum.*

Amount received of Highland county-----	\$121 00 0
Amount received of Darke county-----	124 00 0
Amount received of Cuyahoga county-----	232 00 0
	<hr/>
	\$480 00 0
Amount paid G. W. Holmes, Treasurer of Hamilton county-----	480 00 0
	<hr/>

*Surplus Revenue.*

Balance in the Treasury, Nov. 15, 1845-----	\$14,499 15 5
Amount received from County Treasurers-----	98,996 42 0
	<hr/>
	\$113,495 57 5
Deduct amount appropriated to the redemption of Turnpike Bonds-----	54,935 53 0
	<hr/>
Balance in Treasury, Nov. 15, 1846-----	\$58,560 04 5
	<hr/>

*Surplus Revenue Interest Fund.*

Balance in the Treasury, Nov. 15, 1845-----	\$607 18 1
Amount received from Fund Commissioners-----	3,558 27 0
Amount received of Ross, Geauga, and Lawrence counties-----	68 74 0
Amount transferred from State Common School Fund,	198 03 1
	<hr/>
	\$4,432 22 2
Deduct amount paid County Treasurers-----	3,825 07 4
	<hr/>
Balance in the Treasury, Nov. 15, 1846-----	\$607 14 8
	<hr/>

*National Road Fund.*

Balance in the Treasury, Nov. 15, 1845-----	\$5,517 35 0
Tolls received of John Hersh, Resident Engineer on the Eastern Division of said Road-----	17,054 04 0
Tolls received of John Field, Resident Engineer on the Western Division of said Road-----	11,892 17 0
Domestic Bonds received of Fund Commissioners---	33,900 73 0
	<hr/>
	\$68,394 29 0

Deduct the following amounts, viz :	
Amount paid on Auditor of State's draft, (in cash,)-----	\$24,347 60
Amount paid on Auditor of State's draft, (in bonds,)-----	33,158 63
	<hr/>
	57,506 23 0

Balance in the Treasury, Nov. 15, 1846-----	<u>\$10,888 06 0</u>
---	----------------------

*Three Per Cent. Fund.*

Balance remaining in the Treasury, Nov. 15, 1845--	<u>\$195 63 0</u>
--	-------------------

*Ohio Canal Fund.*

Amount transferred from revenue, being the Canals' proportion of taxes collected on the grand levy for the year 1845, and arrears and forfeitures since Nov. 15, 1845-----	\$757,810 46 0
Amount transferred from revenue, being the Canals' proportion of taxes paid through this office-----	7,595 88 0
Tolls received on the Ohio Canal-----	328,016 93 0
Wabash and Erie Canal-----	110,521 73 0
Miami Canal-----	89,569 77 0
Muskingum Improvement----	34,037 18 0
Miami Canal Extension-----	27,096 94 0
Hocking Canal-----	5,145 85 0
Walhonding Canal-----	1,090 69 0
Moneys arising from sales of School Section sixteen- Virginia Military School Lands -----	22,688 54 0
United States Military School Lands-----	15 13 0
Ministerial Section twen- ty-nine-----	698 04 0
Amount received from Fund Commissioners -- mo- neys arising from domestic loans-----	4,157 18 0
Amount received from Milan Canal Company-----	91,742 00 0
	2,500 00 0

Amount received from Leander Ransom, Esq., late Acting Commissioner-----	\$7,152 65 0
William Spencer, Esq., late Acting Commissioner-----	628 48 0

Amount received from the following Turnpike Companies, being the State's proportion of dividends declared by said Companies, viz :

Cincinnati and Harrison-----	6,023 50 0
Cincinnati, Columbus and Wooster-----	4,548 00 0
Colerain, Oxford and Brookville-----	4,288 75 0
Dayton and Wooster-----	3,695 38 0
Batavia Turnpike and Miami Bridge-----	3,076 29 0
Great Miami-----	3,024 27 0
Dayton and Springfield-----	2,218 00 0
Milford and Chillicothe-----	2,000 00 0
Cincinnati, Lebanon and Springfield-----	1,786 50 0
Hamilton, Rossville, Somerville, &c.-----	1,497 72 0
Hamilton, Springfield and Carthage-----	1,580 22 0
Dayton, Centreville and Lebanon-----	989 00 0
Montgomery, Hopkinsville, &c.-----	350 58 0
Ohio-----	213 00 0
Amount received of Charles B. Goddard, Esq.-----	718 26 0
Amount received of O. Follett, President of Board of Public Works-----	80 00 0
Amount arising from sales of Ohio Canal lands-----	49 00 0
Total-----	<u>\$1,526,600 92 0</u>

#### *Disbursements.*

Amount transferred to Interest Fund	\$518,046 91 2
Amount transferred to Canal Sinking Fund-----	25,000 00 0
Amount paid E. N. Sill, Fund Com- missioner-----	622,341 00 0
Amount paid John Woods, agent for the payment of interest-----	18,562 50 0
Amount paid William A. Adams, interest-----	143 01 0
Amount paid H. G. Phillips, inter- est-----	91 00 0
Amount paid R. Wilson, interest--	351 56 0
Amount paid Warren county-----	497 05 0
Amount paid to Portage county----	583 65 0
Amount of overdraft on Hocking Ca- nal tolls, Nov. 15, 1845-----	1,690 17 0
Amount of overdraft on Walhond- ing Canal tolls, Nov. 15, 1845--	1,453 59 0



Amount appropriated to Miami, and Miami Extension Canal-----	108,125 95 0
Amount appropriated to Ohio Canal-----	86,557 65 0
Amount appropriated to Muskingum Improvement-----	29,425 00 0
Amount appropriated to Wabash and Erie Canal-----	14,734 90 0
Amount appropriated to Hocking Canal-----	2,980 90 0
Amount appropriated to Walbonding Canal-----	1,105 25 0
Amount appropriated to the redemption of Faith and Credit Bonds-----	13,715 19 0
Amount appropriated for contingent expenses of the Board of Public Works-----	1,000 00 0
Amount appropriated for contingent expenses of Fund Commissioners,-----	500 00 0
Amount appropriated for payment of interest on Section 15-----	58,464 12 2
Amount appropriated for the payment of interest on the Virginia Military School Funds-----	8,044 95 5
Amount appropriated for payment of interest on United States Military School Funds-----	7,150 06 0
Amount appropriated for payment of interest on Moravian School Funds-----	60 57 0
Amount appropriated for payment of interest on Connecticut Western Reserve School Funds-----	9,519 54 0
Amount appropriated for payment of interest on Section 20-----	1,334 57 0
Amount appropriated for payment of interest on Ohio University Fund-----	113 84 0
	<hr/> \$1,533,660 92 0

*Canal Sinking Fund.*

Balance in the Treasury, Nov. 15, 1845-----	\$29,747 50 0
Amount transferred from Canal Fund-----	25,000 00 0
	<hr/> 54,747 50 0
Deduct amount paid E. N. Sill, Fund Commissioner,-----	23,388 31 0
	<hr/> Balance, November 15, 1846-----\$31,349 19 0

*Western Reserve and Maumee Road.*

Balance in the Treasury, November 15, 1845-----	\$6,104 54 0
Amount received of Cyrus Howard, resident engineer, (tolls) -----	3,415 74 0
Balance, November 15, 1846-----	<u>\$9,520 28 0</u>

*Wabash and Erie Canal Land Fund.*

Balance in the Treasury, November 15, 1845 -----	\$720 63 0
Amount received from sales of said lands-----	10,474 62 0
Deduct amount appropriated to redemption of Bonds-----	11,195 25 0
Cash paid Edward Sturges-----	604 00
	<u>451 28</u>
	1,055 27 0
Balance, November 15, 1846-----	<u>\$10,139 98 0</u>

*Miami Extension Canal Land Fund.*

Amount received from sales of said lands-----	\$11,639 51 0
Deduct the following amounts, viz:	
Overdraft, November 15, 1845-----	479 78
Cash paid J. D. Haines -----	75 45
Cash paid William Blackburn-----	40 00
Amount appropriated to the redemption of Bonds-----	3,208 00
	<u>3,801 23 0</u>
Balance, November 15, 1846-----	<u>\$7,838 28 0</u>

*Interest Fund.*

Balance in the Treasury, November 15, 1845-----	\$8,049 40 5
Amount transferred from Canal Fund-----	518,046 91 2
	<u>526,096 31 7</u>
Deduct the following amounts, viz:	
Amount paid E. N. Sill, Fund Com- missioner-----	306,871 59 2
Am't paid J. Woods, Auditor of State-----	161,180 70 0

## Amount transferred to Surplus Revenue

Interest Fund-----	3,558 27 0	
Amount paid Thomas Moodie, Cashier,	436 35 0	
Amount of interest paid on Domestic		
Bonds-----	45,787 42 0	
		<u>517,834 33 2</u>
Balance, November 15, 1846-----		<u>\$3,261 96 5</u>

## PUBLIC WORKS.

*Miami Canal.*

Balance in the Treasury, Nov. 15th, 1845, to credit of awards-----		\$2,185 69
Amount appropriated from Canal Fund to awards---		12,769 85
Amount appropriated from Canal Fund to contracts and repairs-----		91,310 54
Amount appropriated from Canal Fund to unrestricted Fund-----		4,045 56
		<u>110,311 64</u>
Amount disbursed, viz:		
On Awards-----	\$10,909 13	
Contracts and repairs-----	91,310 54	
Unrestricted Fund-----	4,045 56	
		<u>106,265 23</u>
Balance, Nov. 15, 1846-----		<u>\$4,046 41</u>

*Ohio Canal.*

Amount appropriated from Canal Fund to awards---		\$57 12
Amount appropriated from Canal Fund to contracts and repairs-----		83,897 03
Amount appropriated from Canal Fund to Unrestricted Fund-----		2,603 50
		<u>86,557 65</u>
Amount disbursed, viz:		
On Awards-----	\$57 12	
Contracts and repairs-----	73,897 03	
Unrestricted Fund-----	2,603 50	
		<u>76,557 65</u>
Balance, Nov. 15, 1846-----		<u>\$10,000 00</u>

*Wabash and Erie Canal.*

Balance, Nov. 15th, 1845, to credit of awards-----	\$7,215 00
Balance, Nov. 15th, 1845, to credit of contracts and repairs-----	273 56
Amount appropriated from Canal Fund to contracts and repairs-----	13,114 83
Amount appropriated from Canal Fund to Unrestricted Fund-----	1,620 07
	<hr/>
	\$22,223 46
Amount disbursed, viz :	
On Awards-----	\$3,800 00
Contracts and repairs-----	11,467 80
Unrestricted Fund-----	1,620 07
	<hr/>
	16,887 87
	<hr/>
Balance, Nov. 15th, 1846-----	\$5,335 59

*Muskingum Improvement.*

Amount appropriated from Canal Fund to awards----	\$930 00
Amount appropriated from Canal Fund to contracts and repairs-----	26,733 60
Amount appropriated from Canal Fund to Unrestricted Fund-----	1,762 00
	<hr/>
	29,425 60
Amount disbursed, viz :	
On Awards-----	\$930 00
Contracts and repairs-----	26,733 60
Unrestricted Fund-----	1,762 00
	<hr/>
	\$29,425 60

*Hocking Canal.*

Amount appropriated from Canal Fund to awards of damages-----	\$1,212 00
Amount appropriated from Canal Fund to contracts and repairs-----	1,364 55
Amount appropriated from Canal Fund to Unrestricted Fund-----	393 44
	<hr/>
	2,969 99
Amount disbursed, viz :	
On Awards of damages-----	\$1,212 00
Contracts and repairs-----	1,364 55
Unrestricted Fund-----	393 44
	<hr/>
	\$2,969 99

*Walhonding Canal.*

Amount appropriated from Canal Fund to contracts and repairs-----	\$966 02
Amount appropriated from Canal Fund to Unrestricted Fund-----	140 23
	<hr/>
	1,106 25
Amount disbursed, viz :	
On Contracts and repairs-----	\$966 02
Unrestricted Fund-----	140 23
	<hr/>
	\$1,106 25

*Warren County Canal.*

Balance in the Treasury, Nov. 15, 1845-----	\$1,398 31
---	------------

*Western Reserve and Maumee Road.*

Balance in the Treasury, Nov. 15, 1845-----	\$1,053 49
---	------------

*Contingent Fund—(Fund Commissioners.)*

Balance in the Treasury, Nov. 15, 1845-----	\$744 05 5
Amount appropriated from Canal Fund-----	500 00 0
	<hr/>
	1,244 05 5
Amount of said fund expended-----	760 62 0
	<hr/>
Balance, Nov. 15, 1846-----	\$483 43 5

*Contingent Fund—(Board of Public Works.)*

Amount appropriated from Canal Fund-----	\$1,000 00 0
Amount of said fund expended-----	736 73 0
	<hr/>
	\$263 27 0

*Turnpike Bonds.*

Balance in the Treasury, Nov. 15, 1845-----	\$12,540 98 0
Amount appropriated from Surplus Revenue-----	54,935 53 0
	<hr/>
	67,476 46 0
Amount of said bonds redeemed-----	\$67,476 46 0

*Faith and Credit Bonds.*

Amount appropriated from Canal Fund-----	\$13,715 19 0
Amount of said bonds redeemed-----	<u>13,715 19 0</u>

*Miami Extension Canal Bonds.*

Amount appropriated from Miami Extension Canal Land Fund-----	\$3,206 00 0
Amount of said bonds redeemed-----	<u>3,206 00 0</u>

*Wabash and Erie Canal Bonds.*

Amount appropriated from Wabash and Erie Canal Land Fund-----	604 00 0
Amount of said bonds redeemed-----	<u>604 00 0</u>

## RECAPITULATION.

Balance remaining in the Treasury, Nov. 15, 1846 :

General Revenue-----	\$57,229 01 2
State Common School Fund-----	31,691 14 6
Virginia Military School Fund-----	3,605 27 0
Ohio University Fund-----	56 92 0
Surplus Revenue-----	58,560 04 5
Surplus Revenue Interest Fund-----	607 14 8
National Road Fund-----	10,888 06 0
Three per cent. Fund-----	195 63 0
Canal Sinking Fund-----	31,349 19 0
Western Reserve and Maumee Road Fund, (toll account)-----	9,520 28 0
Wabash and Erie Canal Land Fund-----	10,139 98 0
Miami Extension Canal Land Fund-----	7,838 28 0
Interest Fund-----	3,261 98 5
Ohio Canal-----	10,000 00 0
Miami Canal-----	4,046 41 0
Wabash and Erie Canal-----	5,335 59 0
Warren County Canal-----	1,393 31 0
Western Reserve and Maumee Road-----	1,053 49 0
Fund Commissioners' Contingent Fund-----	483 43 5
Contingent Fund of the Board of Public Works---	263 27 0
Total. balance, Nov. 15, 1846-----	<u>\$247,518 45 1</u>

Respectfully submitted,

JOS. WHITEHILL,

*Treasurer of State.*

